Council of the European Union

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	Draft DECISIONS OF THE OACPS-EU Council of Ministers, the Africa-EU Council of Ministers, the Caribbean-EU Council of Ministers, the Pacific-EU Council of Ministers, the OACPS-EU Ambassadorial Level Senior Officials Committee, the Africa-EU Joint Committee, the Caribbean-EU Joint Committee and the Pacific-EU Joint Committee concerning the adoption of their Rules of Procedure

DRAFT

DECISION No … /2025
OF THE OACPS-EU COUNCIL OF MINISTERS

of …

concerning the adoption of the Rules of Procedure
of the OACPS-EU Council of Ministers

THE OACPS-EU COUNCIL OF MINISTERS,

Having regard to the Partnership Agreement between the European Union and its Member States, of the one part, and Members of the Organisation of African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), and in particular Article 88(7) thereof,

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

Whereas:

(1) In accordance with Article 88(4), point (c), of the Agreement, the functions of the OACPS-EU Council of Ministers include taking decisions to give effect to specific aspects necessary for the implementation of the provisions of the Agreement.

(2) Pursuant to Article 88(7) of the Agreement, the OACPS-EU Council of Ministers is to adopt its rules of procedure at its first meeting,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the OACPS-EU Council of Ministers, as set out in the Annex to this Decision, are adopted.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at …, …

For the OACPS-EU Council of Ministers
The Chair

ANNEX

Rules of Procedure of the OACPS-EU Council of Ministers

Article 1

General provisions

1. The OACPS-EU Council of Ministers (hereinafter referred to as the 'Council') shall perform its tasks as provided for in Article 88 of the Partnership Agreement between the European Union and its Member States of the one part, and the Members of the Organisation of the African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement').

2. Reference to a 'Party' or 'either Party' in these Rules of Procedure shall be understood as a reference to the European Union and its Member States (hereinafter referred to as the 'EU Party') or to the OACPS Members, as referred to in Article 1(1) of the Agreement, whereby each Party shall act collectively. Reference to the 'Parties' shall be understood as a reference to both the EU Party and the OACPS Members, as referred to in that Article.

3. In accordance with Article 88(1) of the Agreement, the Council shall comprise, on the one hand, a representative of each OACPS Member at ministerial level and, on the other hand, representatives of the European Union and of its Member States at ministerial level.

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

4. As provided for in Article 88(2) of the Agreement, the Council shall meet in principle every three years and whenever it is deemed necessary on the initiative of the Co-chairs.

5. The Council shall be convened by its Co-chairs. The dates of its meetings shall be fixed by common agreement between the Parties.

6. The Council shall meet alternately in Brussels and at a venue in one of the OACPS Members, as fixed by common agreement between the Parties. The Parties may mutually agree on another venue.

7. Upon decision of the Co-chairs, the Council may meet in a virtual or hybrid format if circumstances so require.

Article 2

Co-chairs

1. As provided for in Article 88(1) of the Agreement, the Council shall be co-chaired by the chair nominated by the OACPS Members, on the one hand, and by the chair nominated by the EU Party, on the other hand.

2. The office of Chair of the Council (hereinafter referred to as the 'Chair in the lead') shall be held alternately as follows:

   (a) from 1 April to 30 September by the chair nominated by the OACPS Members;

   (b) from 1 October to 31 March by the chair nominated by the EU Party.

Article 3

Agenda of meetings

1. The provisional agenda for each meeting shall be drawn up by the Chair in the lead, on the basis of common agreement between the Parties. It shall be communicated to the other members of the Council at least 30 days before the date of the meeting. The provisional agenda shall include the items in respect of which a request for inclusion has been received by the Chair in the lead at least 35 days before the date of the meeting.

2. Any documentation relating to the agenda items shall be transmitted to the Secretariat in time for it to be forwarded to the members of the Council and to the members of the OACPS-EU Ambassadorial Level Senior Officials Committee (hereinafter referred to as the 'ALSOC') at least 21 days before the date of the meeting.

3. The agenda shall be adopted by the Council at the beginning of each meeting. In urgent cases the Council may decide, at the request of either Party, to include on the agenda items in respect of which the time limits laid down in paragraph 1 have not been observed.

4. The provisional agenda may be divided into Part A, Part B and Part C as follows:

   (a) Part A shall contain items which can be approved by the Council without discussion;

   (b) Part B shall contain items which need to be discussed by the Council before their approval;

   (c) Part C shall contain items which need to be discussed by way of an informal exchange of views.

Article 4

Proceedings

1. In accordance with Article 88(5) of the Agreement, the Council shall adopt decisions that are binding on all Parties unless otherwise specified, or make recommendations concerning any of its functions listed in Article 88(4) of the Agreement by common agreement of the Parties.

2. When the Council meets in a virtual or hybrid format, the adoption of decisions and recommendations shall follow the written procedure laid down in Article 5.

3. The proceedings of the Council shall be valid only if the representatives of the European Union, the representatives of at least half of the Member States of the European Union and the representatives of at least two thirds of the OACPS Members are present.

4. Members of the Council who are unable to attend proceedings may authorise another member to act on their behalf and to exercise all their rights. The member who is unable to attend shall inform the Co-chairs through the Secretariat accordingly and indicate the member it has authorised.

5. The members of the Council may be accompanied by advisers to assist them.

6. The composition of each delegation shall be communicated to the Co-chairs through the Secretariat before the beginning of each session.

7. A representative of the European Investment Bank (hereinafter referred to as the 'EIB'), shall be present at sessions of the Council when matters pertaining to areas which concern the EIB are on the agenda.

8. Unless decided otherwise, the Co-chairs may reserve discussions of certain agenda items to the presence of the Parties only.

Article 5

Written procedure

1. As provided for in Article 88(6) of the Agreement, the Council may take decisions or make recommendations by written procedure. The use of a written procedure may be proposed by either Party and may be initiated following the agreement of the Co-chairs.

2. At the same time as the written procedure is initiated, a reasonable time limit for replies shall be fixed. Upon the expiry of that time limit, the Chair in the lead shall conclude that the proposal for a decision or recommendation has been approved, unless either Party has objected.

Article 6

Committees and working groups

1. The Council may, by decision, set up committees and working groups, pursuant to Article 88(3) of the Agreement, to deal with specific issues more effectively and efficiently.

2. The Council may adopt the rules of procedure of the committees and working groups it sets up. In the absence of the adoption of such rules of procedure by the Council, the committees and working groups may adopt their own rules of procedure.

3. The committees and working groups shall submit reports on their work to the Council.

Article 7

Observers

1. Representatives of any State that is signatory to the Agreement ('signatory State') which on the date of entry into force of the Agreement has not yet completed the procedures referred to in Article 98(1) and (2) thereof may attend sessions of the Council as observers. Such observer status shall be maintained until the signatory State concerned completes those procedures within the deadline set out in Article 98(3) of the Agreement or, failing that, for an indefinite period.

2. Representatives of the following third actors may, by decision of the Council, attend sessions of the Council as observers:

(a) States which have applied for accession to the Agreement under the procedures referred to in Article 102 of the Agreement;

(b) States which are members of the OACPS but which are not yet party to the Agreement, as well as States with observer status in the OACPS;

(c) EU Overseas Countries and Territories (OCTs) in the Caribbean and Pacific regions;

(d) other third actors, including regional and continental organisations.

3. The Secretariat shall draw up and keep updated a list of observers pursuant to paragraphs 1 and 2.

4. Observers attending a meeting:

(a) shall not vote in the proceedings referred to in Article 4(1);

(b) shall not make oral statements during the meeting, except upon the invitation of the Co-chairs;

(c) may receive non-confidential information and documentation disseminated by the Secretariat.

In addition to the rights and obligations listed in the first subparagraph of this paragraph, the observers referred to in paragraph 1 and paragraph 2, points (a), (b) and (c), may submit written observations relating to the agenda items of the relevant meeting of the Council.

Article 8

Engagement with stakeholders

1. Engagement with stakeholders shall take place in accordance with the open and transparent mechanisms for structured consultation with stakeholders referred to in Article 95(3) of the Agreement.

2. As provided for in Article 95(2) of the Agreement, stakeholders shall be informed in a timely manner and be able to provide input into the broad process of dialogue, particularly in view of the meetings of the Council.

Article 9

Confidentiality and official publications

1. Unless otherwise decided, meetings of the Council shall not be public. Access to meetings of the Council shall require a pass.

2. Without prejudice to other applicable provisions, the deliberations of the Council shall be covered by the obligation of professional secrecy.

3. Each Party may decide to publish the decisions and recommendations of the Council in their respective official publications.

Article 10

Communications and minutes of meetings

1. Any communication provided for in these Rules of Procedure shall be transmitted through the Secretariat to the representatives of each OACPS Member, the Secretariat of the OACPS, the High Representative of the Union for Foreign Affairs and Security Policy, the Permanent Representatives of the Member States of the European Union, the General Secretariat of the Council of the European Union and the European Commission.

2. The communications referred to in paragraph 1 shall also be sent to the President of the EIB when they concern the EIB.

3. Draft minutes of each meeting, noting in particular the decisions taken by the Council, shall be drawn up by the Secretariat and made available to the Parties. The draft minutes shall be submitted to the Council or to the ALSOC, as appropriate, for approval.

Article 11

Working languages and documentation

1. The working languages of the Council shall be English, French, Portuguese and Spanish.

2. The Council shall conduct its deliberations on the basis of documents drafted in English and, subject to a request by either Party, in an additional working language as referred to in paragraph 1.

Article 12

Forms of acts

1. Decisions and recommendations within the meaning of Article 88(5) of the Agreement shall be entitled ‘Decision’ or ‘Recommendation’, respectively, followed by a serial number, the date of adoption and a description of the subject.

2. They shall be concluded with the formulation ‘Done at …’, ‘(date)’, the date being the date of adoption.

3. Decisions shall specify the date on which they are to enter into force.

4. The decisions and recommendations adopted by the Council shall be signed by the Chair in the lead and authenticated by the Co-secretaries, and shall be kept by the Secretariat.

5. The decisions and recommendations shall be transmitted, through the Secretariat, to the recipients referred to in Article 10(1).

Article 13

The OACPS-EU Ambassadorial Level Senior Officials Committee (ALSOC)

1. The Council may delegate powers to the ALSOC in accordance with Article 88(3) of the Agreement.

2. The conditions for the meetings of the ALSOC shall be laid down in its rules of procedure.

3. The ALSOC shall prepare the sessions of the Council, assist the Council in the fulfilment of its tasks and carry out any mandate entrusted to it by the Council.

Article 14

Participation in the OACPS-EU Joint Parliamentary Assembly

When the Council attends meetings of the OACPS-EU Joint Parliamentary Assembly, established by Article 86(1) of the Agreement, it shall be represented by its Co-chairs.

Article 15

Policy coherence

1. When the Parties request consultations pursuant to Article 4(2) of the Agreement, such consultations shall be held promptly, and as a general rule within 42 days of the request.

2. The consultations shall take place in an appropriate format as mutually agreed by the Parties.

Article 16

Secretariat

1. The EU Party shall designate an official of the General Secretariat of the Council of the European Union as Co-secretary. The OACPS Members shall designate an official of the OACPS Secretariat as Co-secretary. Each Party shall inform the other of the Co-secretary it designates. The Co-secretaries shall jointly run the Secretariat of the Council and of the ALSOC.

2. The Co-secretaries shall perform their duties in complete independence and solely in the interests of the good functioning of the Agreement. They shall not seek or take instructions from any government, organisation or authority other than the Council and the ALSOC.

3. Correspondence intended for the Council shall be sent to the Co-chairs through the Secretariat.

Article 17

Amendment of the Rules of Procedure

These Rules of Procedure may be amended by a decision of the Council in accordance with Article 4.

DRAFT

DECISION No … /2025
OF THE AFRICA-EU COUNCIL OF MINISTERS

of …

concerning the adoption of the Rules of Procedure
of the Africa-EU Council of Ministers

THE AFRICA-EU COUNCIL OF MINISTERS,

Having regard to the Partnership Agreement between the European Union and its Member States, of the one part, and Members of the Organisation of African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), and in particular Article 92(4), point (d), thereof,

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

Whereas:

(1) In accordance with Article 92(2), point (b), of the Agreement, the functions of the Africa-EU Council of Ministers include adopting decisions to give effect to specific aspects of the Africa Regional Protocol of that Agreement.

(2) Pursuant to Article 92(4), point (d), of the Agreement, the Africa-EU Council of Ministers is to adopt its rules of procedure at its first meeting,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Africa-EU Council of Ministers, as set out in the Annex to this Decision, are adopted.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at …, …

For the Africa-EU Council of Ministers
The Chair

ANNEX

Rules of Procedure of the Africa-EU Council of Ministers

Article 1

Scope

The provisions under these Rules of Procedure shall be legally binding only on the parties bound by the Africa Regional Protocol of the Partnership Agreement between the European Union and its Member States of the one part, and the Members of the Organisation of the African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), in accordance with Article 1(1) of that Protocol.

Article 2

General provisions

1. The Africa-EU Council of Ministers (hereinafter referred to as the 'Council') shall perform its tasks as provided for in Article 92 of the Agreement. The Council's decisions and recommendations shall not deviate from the decisions and recommendations of the OACPS-EU Council of Ministers.

[1] OJ EU L, 2023/2862, 28.12.2023, ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

2. Reference to a ‘Party’ or ‘either Party’ in these Rules of Procedure shall be understood as a reference to the European Union and its Member States (hereinafter referred to as the ‘EU Party’), or to the African OACPS Members, as referred to in Article 6(3) of the Agreement, whereby each Party shall act collectively. Reference to the ‘Parties’ shall be understood as a reference to both the EU Party and the African OACPS Members.

3. In accordance with Article 92(1), point (a), of the Agreement, the Council shall comprise, on the one hand, a representative of each African OACPS Member at ministerial level and, on the other hand, representatives of the European Union and of its Member States at ministerial level.

4. The Council shall meet in principle every two years and whenever it is deemed necessary on the initiative of the Co-chairs.

5. The Council shall be convened by its Co-chairs. The dates of its meetings shall be fixed by common agreement between the Parties.

6. The Council shall meet alternately in Brussels and at a venue in one of the African OACPS Members, as fixed by common agreement between the Parties. The Parties may mutually agree on another venue.

7. Upon decision of the Co-chairs, the Council may meet in a virtual or hybrid format if circumstances so require.

Article 3

Co-chairs

1. In accordance with Article 92(1) of the Agreement, the Council shall be co-chaired by the chair nominated by the African OACPS Members, on the one hand, and by the chair nominated by the EU Party, on the other hand.

2. The office of Chair of the Council (hereinafter referred to as the 'Chair in the lead') shall be held alternately as follows:

   (a) from 1 April to 30 September by the chair nominated by the African OACPS Members;

   (b) from 1 October to 31 March by the chair nominated by the EU Party.

Article 4

Agenda of meetings

1. The provisional agenda for each meeting shall be drawn up by the Chair in the lead, on the basis of common agreement between the Parties. It shall be communicated to the other members of the Council at least 30 days before the date of the meeting. The provisional agenda shall include the items in respect of which a request for inclusion has been received by the Chair in the lead at least 35 days before the date of the meeting.

2. Any documentation relating to the agenda items shall be transmitted to the Secretariat in time for it to be forwarded to the members of the Council and to the members of the Africa-EU Joint Committee (hereinafter referred to as the 'Committee'), at least 21 days before the date of the meeting.

3. The agenda shall be adopted by the Council at the beginning of each meeting. In urgent cases the Council may decide, at the request of either Party, to include on the agenda items in respect of which the time limits laid down in paragraph 1 have not been observed.

4. The provisional agenda may be divided into Part A, Part B and Part C as follows:

(a) Part A shall contain items which can be approved by the Council without discussion;

(b) Part B shall contain items which need to be discussed by the Council before their approval;

(c) Part C shall contain items which need to be discussed in an informal exchange of views.

Article 5

Proceedings

1. In accordance with Article 92(2), point (b), and Article 92(3) of the Agreement, the Council shall adopt decisions and make recommendations to give effect to specific aspects of the Africa Regional Protocol, by common agreement of the Parties. The decisions shall be binding on all Parties, unless otherwise specified.

2. When the Council meets in a virtual or hybrid format, the adoption of decisions and recommendations shall follow the written procedure laid down in Article 6.

3. The proceedings of the Council shall be valid only if the representatives of the European Union, the representatives at least half of the Member States of the European Union and the representatives of at least two thirds of the African OACPS Members are present.

4. Members of the Council who are unable to attend proceedings may authorise another member to act on their behalf and to exercise all their rights. The member who is unable to attend shall inform the Co-chairs through the Secretariat accordingly and indicate the member it has authorised.

5. The members of the Council may be accompanied by advisers to assist them.

6. The composition of each delegation shall be communicated to the Co-chairs through the Secretariat before the beginning of each session.

7. A representative of the European Investment Bank (hereinafter referred to as the 'EIB'), shall be present at sessions of the Council when matters pertaining to areas which concern the EIB are on the agenda.

8. Unless decided otherwise, the Co-chairs may reserve discussions of certain agenda items to the presence of the Parties only.

Article 6

Written procedure

1. As provided for in Article 92(4), point (a), of the Agreement, the Council may adopt decisions or make recommendations by written procedure. The use of a written procedure may be proposed by either Party and may be initiated following the agreement of the Co-chairs.

2. At the same time as the written procedure is initiated, a reasonable time limit for replies shall be fixed. Upon the expiry of that time limit, the Chair in the lead shall conclude that the proposal for a decision or recommendation has been approved, unless either Party has objected.

Article 7

Subcommittees and working groups

1. The Council may, by decision, set up subcommittees and working groups pursuant to Article 92(4), point (b), of the Agreement, to deal with specific issues more effectively and efficiently.

2. The Council may adopt the rules of procedure of the subcommittees and working groups it sets up. In the absence of the adoption of such rules of procedure by the Council, the subcommittees and working groups may adopt their own rules of procedure.

3. The subcommittees and working groups shall submit reports on their work to the Council.

Article 8

Observers

1. Representatives of any African OACPS Member that is signatory to the Agreement ('signatory State') which on the date of entry into force of the Agreement has not yet completed the procedures referred to in Article 98(1) and (2) thereof may attend sessions of the Council as observers. Such observer status shall be maintained until the signatory State concerned completes those procedures within the deadline set out in Article 98(3) of the Agreement or, failing that, for an indefinite period.

2. Representatives of the following third actors may, by decision of the Council, attend sessions of the Council as observers:

   (a) States in the Africa region which have applied for accession to the Agreement under the procedures referred to in Article 102 of the Agreement;

   (b) States in the Africa region which are members of the OACPS but which are not yet party to the Agreement, as well as States in the Africa region with observer status in the OACPS;

   (c) other third actors, including regional and continental organisations.

3. The Secretariat shall draw up and keep updated a list of observers pursuant to paragraphs 1 and 2.

4. Observers attending a meeting:

(a) shall not vote in the proceedings referred to in Article 5(1);

(b) shall not make oral statements during the meeting, except upon the invitation of the Co-chairs;

(c) may receive non-confidential information and documentation disseminated by the Secretariat.

In addition to the rights and obligations listed in the first subparagraph of this paragraph, the observers referred to in paragraph 1 and paragraph 2, points (a) and (b), may submit written observations relating to the agenda items of the relevant meeting of the Council.

Article 9

Engagement with stakeholders

1. Engagement with stakeholders shall take place in accordance with the open and transparent mechanisms for structured consultation with stakeholders referred to in Article 95(3) of the Agreement.

2. As provided for in Article 95(2) of the Agreement, stakeholders shall be informed in a timely manner and be able to provide input into the broad process of dialogue, particularly in view of the meetings of the Council.

Article 10

Confidentiality and official publications

1. Unless otherwise decided, meetings of the Council shall not be public. Access to meetings of the Council shall require a pass.

2. Without prejudice to other applicable provisions, the deliberations of the Council shall be covered by the obligation of professional secrecy.

3. Each Party may decide to publish the decisions and recommendations of the Council in their respective official publications.

Article 11

Communications and minutes of meetings

1. Any communication provided for in these Rules of Procedure shall be transmitted through the Secretariat to the representatives of each African OACPS Member, the Secretariat of the OACPS, the High Representative of the Union for Foreign Affairs and Security Policy, the Permanent Representatives of the Member States of the European Union, the General Secretariat of the Council of the European Union and the European Commission.

2. The communications referred to in paragraph 1 shall also be sent to the President of the EIB when they concern the EIB.

3. Draft minutes of each meeting, noting in particular the decisions taken by the Council, shall be drawn up by the Secretariat and made available to the Parties. The draft minutes shall be submitted to the Council or to the Committee, as appropriate, for approval.

Article 12

Working languages and documentation

1. The working languages of the Council shall be English, French, Portuguese and Spanish.

2. The Council shall conduct its deliberations on the basis of documents drafted in English and, subject to a request by either Party, in an additional working language as referred to in paragraph 1.

Article 13

Forms of acts

1. Decisions and recommendations within the meaning of Article 92(3) of the Agreement shall be entitled ‘Decision’ or ‘Recommendation’, respectively, followed by a serial number, the date of adoption and a description of the subject.

2. They shall be concluded with the formulation ‘Done at …’, ‘(date)’, the date being the date of adoption.

3. Decisions shall specify the date on which they are to enter into force.

4. The decisions and recommendations adopted by the Council shall be signed by the Chair in the lead and authenticated by the Co-secretaries, and shall be kept by the Secretariat.

5. The decisions and recommendations shall be transmitted, through the Secretariat, to the recipients referred to in Article 11(1).

Article 14

The Africa-EU Joint Committee

1. The Council may delegate powers to the Africa-EU Joint Committee in accordance with Article 92(4), point (b), of the Agreement.

2. The conditions for the meetings of the Africa-EU Joint Committee shall be laid down in its rules of procedure.

3. The Africa-EU Joint Committee shall prepare the sessions of the Council, assist the Council in the fulfilment of its tasks and carry out any mandate entrusted to it by the Council.

Article 15

Participation in the Africa-EU Parliamentary Assembly

When the Council attends meetings of the Africa-EU Parliamentary Assembly, established by Article 94(1), point (a), of the Agreement, it shall be represented by its Co-chairs.

Article 16

Policy coherence

1. When the Parties request consultations pursuant to Article 4(2) of the Agreement, such consultations shall be held promptly, and as a general rule within 42 days of the request.

2. The consultations shall take place in an appropriate format as mutually agreed by the Parties.

Article 17

Secretariat

1. The EU Party shall designate an official of the General Secretariat of the Council of the European Union as Co-secretary. The African OACPS Members shall designate an official of the OACPS Secretariat as Co-secretary. Each Party shall inform the other of the Co-secretary it designates. The Co-secretaries shall jointly run the Secretariat of the Council and of the Committee.

2. The Co-secretaries shall perform their duties in complete independence and solely in the interests of the good functioning of the Agreement. They shall not seek or take instructions from any government, organisation or authority other than the Council and the Committee.

3. Correspondence intended for the Council shall be sent to the Co-chairs through the Secretariat.

Article 18

Engagement with the EU outermost regions

Engagement with the EU outermost regions in the Africa region in areas of common interest shall be encouraged by the Co-chairs, as well as the relevant Member States of the European Union, in accordance with Article 3(7) of the Africa Regional Protocol of the Agreement.

Article 19

Amendment of the Rules of Procedure

These Rules of Procedure may be amended by a decision of the Council in accordance with Article 5.

DRAFT

DECISION No … /2025
OF THE CARIBBEAN-EU COUNCIL OF MINISTERS

of …

concerning the adoption of the Rules of Procedure
of the Caribbean-EU Council of Ministers

THE CARIBBEAN-EU COUNCIL OF MINISTERS,

Having regard to the Partnership Agreement between the European Union and its Member States, of the one part, and Members of the Organisation of African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), and in particular Article 92(4), point (d), thereof,

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

Whereas:

(1) In accordance with Article 92(2), point (b), of the Agreement, the functions of the Caribbean-EU Council of Ministers include adopting decisions to give effect to specific aspects of the Caribbean Regional Protocol of that Agreement.

(2) Pursuant to Article 92(4), point (d), of the Agreement, the Caribbean-EU Council of Ministers is to adopt its rules of procedure at its first meeting,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Caribbean-EU Council of Ministers, as set out in the Annex to this Decision, are adopted.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at …, …

For the Caribbean-EU Council of Ministers
The Chair

ANNEX

Rules of Procedure of the Caribbean-EU Council of Ministers

Article 1

Scope

The provisions under these Rules of Procedure shall be legally binding only on the parties bound by the Caribbean Regional Protocol of the Partnership Agreement between the European Union and its Member States of the one part, and the Members of the Organisation of the African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), in accordance with Article 1(1) of that Protocol.

Article 2

General provisions

1. The Caribbean-EU Council of Ministers (hereinafter referred to as the 'Council'), shall perform its tasks as provided for in Article 92 of the Agreement. The Council's decisions and recommendations shall not deviate from the decisions and recommendations of the OACPS-EU Council of Ministers.

[1] OJ EU L, 2023/2862, 28.12.2023, ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

2. Reference to a ’Party’ or ’either Party’ in these Rules of Procedure shall be understood as a reference to the European Union and its Member States (hereinafter referred to as the ‘EU Party’) or to the Caribbean OACPS Members, as referred to in Article 6(3) of the Agreement, whereby each Party shall act collectively. Reference to the ‘Parties’ shall be understood as a reference to both the EU Party and the Caribbean OACPS Members.

3. In accordance with Article 92(1), point (b), of the Agreement, the Council shall comprise, on the one hand, a representative of each Caribbean OACPS Member at ministerial level and, on the other hand, representatives of the European Union and of its Member States at ministerial level.

4. The Council shall meet in principle every two years and whenever it is deemed necessary on the initiative of the Co-chairs.

5. The Council shall be convened by its Co-chairs. The dates of its meetings shall be fixed by common agreement between the Parties.

6. The Council shall meet alternately in Brussels and at a venue in one of the Caribbean OACPS Members, as fixed by common agreement between the Parties. The Parties may mutually agree on another venue.

7. Upon decision of the Co-chairs, the Council may meet in a virtual or hybrid format if circumstances so require.

Article 3

Co-chairs

1. In accordance with Article 92(1) of the Agreement, the Council shall be co-chaired by the chair nominated by the Caribbean OACPS Members, on the one hand, and by the chair nominated by the EU Party, on the other hand.

2. The office of Chair of the Council (hereinafter referred to as the 'Chair in the lead') shall be held alternately as follows:

   (a) from 1 April to 30 September by the chair nominated by the Caribbean OACPS Members;

   (b) from 1 October to 31 March by the chair nominated by the EU Party.

Article 4

Agenda of meetings

1. The provisional agenda for each meeting shall be drawn up by the Chair in the lead on the basis of common agreement between the Parties. It shall be communicated to the other members of the Council at least 30 days before the date of the meeting. The provisional agenda shall include the items in respect of which a request for inclusion has been received by the Chair in the lead at least 35 days before the date of the meeting.

2. Any documentation relating to the agenda items shall be transmitted to the Secretariat in time for it to be forwarded to the members of the Council and to the members of the Caribbean-EU Joint Committee (hereinafter referred to as the 'Committee'), at least 21 days before the date of the meeting.

3. The agenda shall be adopted by the Council at the beginning of each meeting. In urgent cases the Council may decide, at the request of either Party, to include on the agenda items in respect of which the time limits laid down in paragraph 1 have not been observed.

4. The provisional agenda may be divided into Part A, Part B and Part C as follows:

(a) Part A shall contain items which can be approved by the Council without discussion;

(b) Part B shall contain items which need to be discussed by the Council before their approval;

(c) Part C shall contain items which need to be discussed by way of an informal exchange of views.

Article 5

Proceedings

1. In accordance with Article 92(2), point (b), and Article 92(3) of the Agreement, the Council shall adopt decisions or make recommendations to give effect to specific aspects of the Caribbean Regional Protocol, by common agreement of the Parties. The decisions shall be binding on all Parties, unless otherwise specified.

2. When the Council meets in a virtual or hybrid format, the adoption of decisions and recommendations shall follow the written procedure contained in Article 6.

3. The proceedings of the Council shall be valid only if the representatives of the European Union, the representatives of at least half of the Member States of the European Union and the representatives of at least two thirds of the Caribbean OACPS Members are present.

4. Members of the Council who are unable to attend proceedings may authorise another member to act on their behalf and to exercise all their rights. The member who is unable to attend shall inform the Co-chairs through the Secretariat accordingly and indicate the member it has authorised.

5. The members of the Council may be accompanied by advisers to assist them.

6. The composition of each delegation shall be communicated to the Co-chairs through the Secretariat before the beginning of each session.

7. A representative of the European Investment Bank (hereinafter referred to as the 'EIB') shall be present at sessions of the Council when matters pertaining to areas which concern the EIB are on the agenda.

8. Unless decided otherwise, the Co-chairs may reserve discussions of certain agenda items to the presence of the Parties only.

Article 6

Written procedure

1. As provided for in Article 92(4), point (a), of the Agreement, the Council may adopt decisions or make recommendations by written procedure. The use of a written procedure may be proposed by either Party and may be initiated following the agreement of the Co-chairs.

2. At the same time as the written procedure is initiated, a reasonable time limit for replies shall be fixed. Upon the expiry of that time limit, the Chair in the lead shall conclude that that the proposal for a decision or recommendation has been approved, unless either Party has objected.

Article 7

Subcommittees and working groups

1. The Council may, by decision, set up subcommittees and working groups, pursuant to Article 92(4), point (b), of the Agreement, to deal with specific issues more effectively and efficiently.

2. The Council may adopt the rules of procedure of the subcommittees and working groups it sets up. In the absence of the adoption of such rules of procedure by the Council, the subcommittees and working groups may adopt their own rules of procedure.

3. The subcommittees and working groups shall submit reports on their work to the Council.

Article 8

Observers

1. Representatives of any Caribbean OACPS Member that is signatory to the Agreement ('signatory State') which on the date of entry into force of the Agreement has not yet completed the procedures referred to in Article 98(1) and (2) thereof may attend sessions of the Council as observers. Such observer status shall be maintained until the signatory State concerned completes those procedures within the deadline set out in Article 98(3) of the Agreement or, failing that, for an indefinite period.

2. EU Overseas Countries and Territories (OCTs) in the Caribbean region may attend sessions of the Council as observers, as provided for in Article 6(2) of the Caribbean Regional Protocol.

3. Representatives of the following third actors may, by decision of the Council, attend sessions of the Council as observers:

   (a) States in the Caribbean region which have applied for accession to the Agreement under the procedures referred to in Article 102 of the Agreement;

   (b) States in the Caribbean region which are members of the OACPS but which are not yet party to the Agreement, as well as States in the Caribbean region with observer status in the OACPS;

   (c) other third actors, including regional and continental organisations.

4. The Secretariat shall draw up and keep updated a list of observers pursuant to paragraphs 1, 2 and 3.

5. Observers attending a meeting:

(a) shall not vote in the proceedings referred to in Article 5(1);

(b) shall not make oral statements during the meeting, except upon the invitation of the Co-chairs;

(c) may receive non-confidential information and documentation disseminated by the Secretariat.

In addition to the rights and obligations listed in the first subparagraph of this paragraph, the observers referred to in paragraphs 1 and 2 and paragraph 3, points (a) and (b), may submit written observations relating to the agenda items of the relevant meeting of the Council.

Article 9

Engagement with stakeholders

1. Engagement with stakeholders shall take place in accordance with the open and transparent mechanisms for structured consultation with stakeholders referred to in Article 95(3) of the Agreement.

2. As provided for in Article 95(2) of the Agreement, stakeholders shall be informed in a timely manner and be able to provide inputs into the broad process of dialogue, particularly in view of the meetings of the Council.

Article 10

Confidentiality and official publications

1. Unless otherwise decided, meetings of the Council shall not be public. Access to meetings of the Council shall require a pass.

2. Without prejudice to other applicable provisions, the deliberations of the Council shall be covered by the obligation of professional secrecy.

3. Each Party may decide to publish the decisions and recommendations of the Council in their respective official publications.

Article 11

Communications and minutes of meetings

1. Any communication provided for in these Rules of Procedure shall be transmitted through the Secretariat to the representatives of each Caribbean OACPS Member, the Secretariat of the OACPS, the High Representative of the Union for Foreign Affairs and Security Policy, the Permanent Representatives of the Member States of the European Union, the General Secretariat of the Council of the European Union and the European Commission.

2. The communications referred to in paragraph 1 shall also be sent to the President of the EIB when they concern the EIB.

3. Draft minutes of each meeting, noting in particular the decisions taken by the Council, shall be drawn up by the Secretariat and made available to the Parties. The draft minutes shall be submitted to the Council or to the Committee, as appropriate, for approval.

Article 12

Working languages and documentation

1. The working languages of the Council shall be English, French and Spanish.

2. Unless decided otherwise, the Council shall conduct its deliberations on the basis of documents drafted in English.

Article 13

Forms of acts

1. Decisions and recommendations within the meaning of Article 92(3) of the Agreement shall be entitled ‘Decision’ or ‘Recommendation’, respectively, followed by a serial number, the date of adoption and a description of the subject.

2. They shall be concluded with the formulation ‘Done at …’, ‘(date)’, the date being the date of adoption.

3. Decisions shall specify the date on which they are to enter into force.

4. The decisions and recommendations adopted by the Council shall be signed by the Chair in the lead and authenticated by the Co-secretaries, and shall be kept by the Secretariat.

5. The decisions and recommendations shall be transmitted, through the Secretariat, to the recipients referred to in Article 11(1).

Article 14

The Caribbean-EU Joint Committee

1. The Council may delegate powers to the Caribbean-EU Joint Committee in accordance with Article 92(4), point (b), of the Agreement.

2. The conditions for the meetings of the Caribbean-EU Joint Committee shall be laid down in its rules of procedure.

3. The Caribbean-EU Joint Committee shall prepare the sessions of the Council, assist the Council in the fulfilment of its tasks, and carry out any mandate entrusted to it by the Council.

Article 15

Participation in the Caribbean-EU Parliamentary Assembly

When the Council attends meetings of the Caribbean-EU Parliamentary Assembly, established by Article 94(1), point (b), of the Agreement, it shall be represented by its Co-chairs.

Article 16

Policy coherence

1. When the Parties request consultations pursuant to Article 4(2) of the Agreement, such consultations shall be held promptly, and as a general rule within 42 days of the request.

2. The consultations shall take place in an appropriate format as mutually agreed by the Parties.

Article 17

Secretariat

1. The EU Party shall designate an official of the General Secretariat of the Council of the European Union as Co-secretary. The Caribbean OACPS Members shall designate an official of the OACPS Secretariat as Co-secretary. Each Party shall inform the other of the Co-secretary it designates. The Co-secretaries shall jointly run the Secretariat of the Council and of the Committee.

2. The Co-secretaries shall perform their duties in complete independence and solely in the interests of the good functioning of the Agreement. They shall not seek or take instructions from any government, organisation or authority other than the Council and the Committee.

3. Correspondence intended for the Council shall be sent to the Co-chairs through the Secretariat.

Article 18

Engagement with the EU outermost regions

Engagement with the EU outermost regions in the Caribbean region in areas of common interest shall be encouraged by the Co-chairs, as well as the relevant Member States of the European Union, in accordance with Articles 6(1) and 51(2) of the Caribbean Regional Protocol of the Agreement.

Article 19

Amendment of the Rules of Procedure

These Rules of Procedure may be amended by a decision of the Council in accordance with Article 5.

DRAFT

DECISION No … /2025
OF THE PACIFIC-EU COUNCIL OF MINISTERS

of …

concerning the adoption of the Rules of Procedure
of the Pacific-EU Council of Ministers

THE PACIFIC-EU COUNCIL OF MINISTERS,

Having regard to the Partnership Agreement between the European Union and its Member States, of the one part, and Members of the Organisation of African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), and in particular Article 92(4), point (d), thereof,

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

Whereas:

(1) In accordance with Article 92(2), point (b), of the Agreement, the functions of the Pacific-EU Council of Ministers include adopting decisions to give effect to specific aspects of the Pacific Regional Protocol of that Agreement.

(2) Pursuant to Article 92(4), point (d), of the Agreement, the Pacific-EU Council of Ministers is to adopt its rules of procedure at its first meeting,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Pacific-EU Council of Ministers, as set out in the Annex to this Decision, are adopted.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at …, …

For the Pacific-EU Council of Ministers
The Chair

ANNEX

Rules of Procedure of the Pacific-EU Council of Ministers

Article 1

Scope

The provisions under these Rules of Procedure shall be legally binding only on the parties bound by the Pacific Regional Protocol of the Partnership Agreement between the European Union and its Member States of the one part, and the Members of the Organisation of the African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as 'the Agreement'), in accordance with Article 1(1) of that Protocol.

Article 2

General provisions

1. The Pacific-EU Council of Ministers (hereinafter referred to as 'the Council') shall perform its tasks as provided for in Article 92 of the Agreement. The Council's decisions and recommendations shall not deviate from the decisions and recommendations of the OACPS-EU Council of Ministers.

[1] OJ EU L, 2023/2862, 28.12.2023, ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

2. Reference to a ‘Party’ or ‘either Party’ in these Rules of Procedure shall be understood as reference to the the European Union and its Member States (hereinafter referred to as the ‘EU Party’) or to the Pacific OACPS Members, as referred to in Article 6(3) of the Agreement, whereby each Party shall act collectively. Reference to the ‘Parties’ shall be understood as a reference to both the EU Party and the Pacific OACPS Members.

3. In accordance with Article 92(1), point (c), of the Agreement, the Council shall comprise, on the one hand, a representative of each Pacific OACPS Member at ministerial level and, on the other hand, representatives of the European Union and of its Member States at ministerial level.

4. The Council shall meet in principle every two years and whenever it is deemed necessary on the initiative of the Co-chairs.

5. The Council shall be convened by its Co-chairs. The dates of its meetings shall be fixed by common agreement between the Parties.

6. The Council shall meet alternately in Brussels and at a venue in one of the Pacific OACPS Members, as fixed by common agreement between the Parties. The Parties may mutually agree on another venue.

7. Upon decision of the Co-chairs, the Council may meet in a virtual or hybrid format if circumstances so require.

Article 3

Co-chairs

1. In accordance with Article 92(1) of the Agreement, the Council shall be co-chaired by the chair nominated by the Pacific OACPS Members, on the one hand, and by the chair nominated by the EU Party, on the other hand.

2. The office of Chair of the Council (hereinafter referred to as the 'Chair in the lead') shall be held alternately as follows:

   (a) from 1 April to 30 September by the chair nominated by the Pacific OACPS Members;

   (b) from 1 October to 31 March by the chair nominated by the EU Party.

Article 4

Agenda of meetings

1. The provisional agenda for each meeting shall be drawn up by the Chair in the lead on the basis of common agreement between the Parties. It shall be communicated to the other members of the Council at least 30 days before the date of the meeting. The provisional agenda shall include the items in respect of which a request for inclusion has been received by the Chair in the lead at least 35 days before the date of the meeting.

2. Any documentation relating to the agenda items shall be transmitted to the Secretariat in time for it to be forwarded to the members of the Council and to the members of the Pacific-EU Joint Committee (hereinafter referred to as the 'Committee'), at least 21 days before the date of the meeting.

3. The agenda shall be adopted by the Council at the beginning of each meeting. In urgent cases the Council may decide, at the request of either Party, to include on the agenda items in respect of which the time limits laid down in paragraph 1 have not been observed.

4. The provisional agenda may be divided into Part A, Part B and Part C as follows:

   (a) Part A shall contain items which can be approved by the Council without discussion;

   (b) Part B shall contain items which need to be discussed by the Council before their approval;

   (c) Part C shall contain items which need to be discussed by way of an informal exchange of views.

Article 5

Proceedings

1. In accordance with Article 92(2), point (b), and Article 92(3) of the Agreement, the Council shall adopt decisions or make recommendations to give effect to specific aspects of the Pacific Regional Protocol, by common agreement of the Parties. The decisions shall be binding on all Parties, unless otherwise specified.

2. When the Council meets in a virtual or hybrid format, the adoption of decisions and recommendations shall follow the written procedure laid down in Article 6.

3. The proceedings of the Council shall be valid only if the representatives of the European Union, the representatives of at least half of the Member States of the European Union and the representatives of at least two thirds of the Pacific OACPS Members are present.

4. Members of the Council who are unable to attend proceedings may authorise another member to act on their behalf and to exercise all their rights. The member who is unable to attend shall inform the Co-chairs through the Secretariat accordingly and indicate the member it has authorised.

5. The members of the Council may be accompanied by advisers to assist them.

6. The composition of each delegation shall be communicated to the Co-chairs through the Secretariat before the beginning of each session.

7. A representative of the European Investment Bank (hereinafter referred to as the 'EIB'), shall be present at sessions of the Council when matters pertaining to areas which concern the EIB are on the agenda.

8. Unless decided otherwise, the Co-chairs may reserve discussions of certain agenda items to the presence of the Parties only.

Article 6

Written procedure

1. As provided for in Article 92(4), point (a), of the Agreement, the Council may adopt decisions or make recommendations by written procedure. The use of a written procedure may be proposed by either Party and may be initiated following the agreement of the Co-chairs.

2. At the same time as the written procedure is initiated, a reasonable time limit for replies shall be fixed. Upon the expiry of that time limit, the Chair in the lead shall conclude that the proposal for a decision or recommendation has been approved, unless either Party has objected.

Article 7

Subcommittees and working groups

1. The Council may, by decision, set up subcommittees and working groups pursuant to Article 92(4), point (b), of the Agreement to deal with specific issues more effectively and efficiently.

2. The Council may adopt the rules of procedure of the subcommittees and working groups it sets up. In the absence of the adoption of such rules of procedure by the Council, the subcommittees and working groups may adopt their own rules of procedure.

3. The subcommittees and working groups shall submit reports on their work to the Council.

Article 8

Observers

1. Representatives of any Pacific OACPS Member that is signatory to the Agreement ('signatory State') which on the date of entry into force of the Agreement has not yet completed the procedures referred to in Article 98(1) and (2) thereof may attend sessions of the Council as observers. Such observer status shall be maintained until the signatory State concerned completes those procedures within the deadline set out in Article 98(3) of the Agreement or, failing that, for an indefinite period.

2. EU Overseas Countries and Territories (OCTs) in the Pacific region may attend sessions of the Council as observers, as provided for in Article 6(3) of the Pacific Regional Protocol.

3. Representatives of the following third actors may, by decision of the Council, attend sessions of the Council as observers:

(a) States in the Pacific region which have applied for accession to the Agreement under the procedures referred to in Article 102 of the Agreement;

(b) States in the Pacific region which are members of the OACPS, but which are not yet party to the Agreement, as well as States in the Pacific region with observer status in the OACPS;

(c) other third actors, including regional and continental organisations.

4. The Secretariat shall draw up and keep updated a list of observers pursuant to paragraphs 1, 2 and 3.

5. Observers attending a meeting:

(a) shall not vote in the proceedings referred to in Article 5(1);

(b) shall not make oral statements during the meeting, except upon the invitation of the Co-chairs;

(c) may receive non-confidential information and documentation disseminated by the Secretariat.

In addition to the rights and obligations listed in the first subparagraph of this paragraph, the observers referred to in paragraphs 1 and 2 and paragraph 3, points (a) and (b), may submit written observations relating to the agenda items of the relevant meeting of the Council.

Article 9

Engagement with stakeholders

1. Engagement with stakeholders shall take place in accordance with the open and transparent mechanisms for structured consultation with stakeholders referred to in Article 95(3) of the Agreement.

2. As provided for in Article 95(2) of the Agreement, stakeholders shall be informed in a timely manner and be able to provide input into the broad process of dialogue, particularly in view of the meetings of the Council.

Article 10

Confidentiality and official publications

1. Unless otherwise decided, meetings of the Council shall not be public. Access to meetings of the Council shall require a pass.

2. Without prejudice to other applicable provisions, the deliberations of the Council shall be covered by the obligation of professional secrecy.

3. Each Party may decide to publish the decisions and recommendations of the Council in their respective official publications.

Article 11

Communications and minutes of meetings

1. Any communication provided for in these Rules of Procedure shall be transmitted through the Secretariat to the representatives of each Pacific OACPS Member, the Secretariat of the OACPS, the High Representative of the Union for Foreign Affairs and Security Policy, the Permanent Representatives of the Member States of the European Union, the General Secretariat of the Council of the European Union and the European Commission.

2. The communications referred to in paragraph 1 shall also be sent to the President of the EIB when they concern the EIB.

3. Draft minutes of each meeting, noting in particular the decisions taken by the Council, shall be drawn up by the Secretariat and made available to the Parties. The draft minutes shall be submitted to the Council or to the Committee, as appropriate, for approval.

Article 12

Working languages and documentation

1. The working languages of the Council shall be English, French and Portuguese.

2. The Council shall conduct its deliberations on the basis of documents drafted in English and, subject to a request by either Party, in an additional working language as referred to in paragraph 1.

Article 13

Forms of acts

1. Decisions and recommendations within the meaning of Article 92(3) of the Agreement shall be entitled ‘Decision’ or ‘Recommendation’, respectively, followed by a serial number, the date of adoption and a description of the subject.

2. They shall be concluded with the formulation ‘Done at …’, ‘(date)’, the date being the date of adoption.

3. Decisions shall specify the date on which they are to enter into force.

4. The decisions and recommendations adopted by the Council shall be signed by the Chair in the lead and authenticated by the Co-secretaries, and shall be kept by the Secretariat.

5. The decisions and recommendations shall be transmitted, through the Secretariat, to the recipients referred to in Article 11(1).

Article 14

The Pacific-EU Joint Committee

1. The Council may delegate powers to the Pacific-EU Joint Committee in accordance with Article 92(4), point (b), of the Agreement.

2. The conditions for the meetings of the Pacific-EU Joint Committee shall be laid down in its rules of procedure.

3. The Pacific-EU Joint Committee shall prepare the sessions of the Council, assist the Council in the fulfilment of its tasks, and carry out any mandate entrusted to it by the Council.

Article 15

Participation in the Pacific-EU Parliamentary Assembly

When the Council attends meetings of the Pacific-EU Parliamentary Assembly, established by Article 94(1), point (c), of the Agreement, it shall be represented by its Co-chairs.

Article 16

Policy coherence

1. When the Parties request consultations pursuant to Article 4(2) of the Agreement, such consultations shall be held promptly, and as a general rule within 42 days of the request.

2. The consultations shall take place in an appropriate format as mutually agreed by the Parties.

Article 17

Secretariat

1. The EU Party shall designate an official of the General Secretariat of the Council of the European Union as Co-secretary. The Pacific OACPS Members shall designate an official of the OACPS Secretariat as Co-secretary. Each Party shall inform the other of the Co-secretary it designates. The Co-secretaries shall jointly run the Secretariat of the Council and of the Committee.

2. The Co-secretaries shall perform their duties in complete independence and solely in the interests of the good functioning of the Agreement. They shall not seek or take instructions from any government, organisation or authority other than the Council and the Committee.

3. Correspondence intended for the Council shall be sent to the Co-chairs through the Secretariat.

Article 18

Amendment of the Rules of Procedure

These Rules of Procedure may be amended by a decision of the Council in accordance with Article 5.

DRAFT

DECISION No … /2025
OF THE OACPS-EU AMBASSADORIAL LEVEL SENIOR OFFICIALS COMMITTEE

of …

concerning the adoption of the Rules of Procedure
of the OACPS-EU Ambassadorial Level Senior Officials Committee

THE OACPS-EU AMBASSADORIAL LEVEL SENIOR OFFICIALS COMMITTEE,

Having regard to the Partnership Agreement between the European Union and its Member States, of the one part, and Members of the Organisation of African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), and in particular Article 89(3) thereof,

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

Whereas:

(1) In accordance with Article 89(2) of the Agreement, the OACPS-EU Ambassadorial Level Senior Officials Committee (hereinafter referred to as 'OACPS-EU ALSOC') shall assist the OACPS-EU Council of Ministers in the fulfilment of its tasks and carry out any mandate entrusted to it by the OACPS-EU Council of Ministers.

(2) Pursuant to Article 89(3) of the Agreement, the OACPS-EU ALSOC is to adopt its rules of procedure at its first meeting,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the OACPS-EU ALSOC, as set out in the Annex to this Decision, are adopted.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at …, …

For the OACPS-EU ALSOC
The Chair

ANNEX

Rules of Procedure of the OACPS-EU Ambassadorial Level
Senior Officials Committee

Article 1
General provisions

1. The OACPS-EU Ambassadorial Level Senior Officials Committee (hereinafter referred to as the 'ALSOC'), shall perform its tasks as provided for in Article 89 of the Partnership Agreement between the European Union and its Member States of the one part, and the Members of the Organisation of the African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement').

2. Reference to a 'Party' or 'either Party' in these Rules of Procedure shall be understood as a reference to the European Union and its Member States (hereinafter referred to as the 'EU Party') or to the OACPS Members, as referred to in Article 1(1) of the Agreement, whereby each Party shall act collectively. Reference to the 'Parties' shall be understood as a reference to both the EU Party and the OACPS Members, as referred to in that Article.

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

3. In accordance with Article 89(1) of the Agreement, the ALSOC shall comprise, on the one hand, a representative of each OACPS Member at ambassadorial or senior official level and the Secretary General of the OACPS in an ex officio capacity and, on the other hand, representatives of the European Union and of its Member States at ambassadorial or senior official level.

4. As provided for in Article 89(1) of the Agreement, the ALSOC shall meet annually and in special sessions at the request of the Co-chairs, and in particular to prepare for the sessions of the OACPS-EU Council of Ministers (hereinafter referred to as the 'Council').

5. The ALSOC shall be convened by its Co-chairs. The dates of its meetings shall be fixed by common agreement between the Parties.

6. The ALSOC shall meet in Brussels. In duly justified cases, the ALSOC may meet at a venue in one of the OACPS Members, as fixed by common agreement between the Parties.

7. Upon decision of the Co-chairs, the ALSOC may meet in a virtual or hybrid format if circumstances so require.

Article 2

Co-chairs

1. As provided for in Article 89(1) of the Agreement, the ALSOC shall be co-chaired by the same Parties that hold the office of Co-chairs of the Council.

2. The office of Chair of the ALSOC (hereinafter referred to as the 'Chair in the lead') shall be held alternately in accordance with Article 2(2) of the Rules of Procedure of the Council.

Article 3

The ALSOC's functions

1. In accordance with Article 89(2) of the Agreement, the ALSOC shall prepare the sessions of the Council, assist the Council in the fulfilment of its tasks, and carry out any mandate entrusted to it by the Council. In that context, it shall monitor the implementation of the Agreement and the progress towards achieving the objectives set out therein.

2. The ALSOC shall report to the Council, in particular on matters for which powers have been delegated.

3. It shall submit to the Council any recommendations that it considers necessary or appropriate.

Article 4

Agenda of meetings

1. The provisional agenda for each meeting shall be drawn up by the Chair in the lead on the basis of common agreement between the Parties. It shall be communicated to the other members of the ALSOC at least 14 days before the date of the meeting.

2. The provisional agenda shall include the items in respect of which the Co-chairs have received a request for inclusion at least 17 days before the date of the meeting. Any documentation relating to the agenda items shall be transmitted to the Secretariat in time for it to be forwarded to the members of the ALSOC at least 8 days before the date of the meeting.

3. The agenda shall be adopted by the ALSOC at the beginning of each meeting. In urgent cases, the ALSOC may decide, at the request of either Party, to include on the agenda items in respect of which the time limits laid down in paragraph 1 have not been observed.

Article 5

Proceedings

1. In accordance with Article 89(1) of the Agreement, the ALSOC shall take its decisions and make recommendations by common agreement of the Parties.

2. When the ALSOC meets in a virtual or hybrid format, the adoption of decisions and recommendations shall follow the written procedure laid down in Article 6.

3. The proceedings of the ALSOC shall be valid only if the representatives of the European Union, the representatives of at least half of the Member States of the European Union, and the representatives of at least two thirds of the OACPS Members are present.

4. Members of the ALSOC who are unable to attend proceedings may authorise another member to act on their behalf and to exercise all their rights. The member who is unable to attend shall inform the Co-chairs through the Secretariat accordingly and indicate the member it has authorised.

5. The members of the ALSOC may be accompanied by advisers to assist them.

6. The composition of each delegation shall be communicated to the Co-chairs through the Secretariat before the beginning of each session.

7. A representative of the European Investment Bank (hereinafter referred to as the 'EIB'), shall be present at the ALSOC meetings when matters pertaining to areas which concern the EIB are on the agenda.

8. Unless decided otherwise, the Co-chairs may reserve discussions of certain agenda items to the presence of the Parties only.

Article 6

Written procedure

1. The ALSOC may take decisions or make recommendations by written procedure. The use of a written procedure may be proposed by either Party and may be initiated following the agreement of the Co-chairs.

2. At the same time as the written procedure is initiated, a reasonable time limit for replies shall be fixed. Upon the expiry of that time limit, the Chair in the lead shall conclude that the proposal for a decision or recommendation has been approved, unless either Party has objected.

Article 7

Observers

1. Representatives of any State that is signatory to the Agreement ('signatory State') which on the date of entry into force of the Agreement has not yet completed the procedures referred to in Article 98(1) and (2) thereof may attend sessions of the ALSOC as observers. Such observer status shall be maintained until the signatory State concerned completes those procedures within the deadline set out in Article 98(3) of the Agreement or, failing that, for an indefinite period.

2. Representatives of the following third actors may, by decision of the ALSOC, attend sessions of the ALSOC as observers:

(a) States which have applied for accession to the Agreement under the procedures referred to in Article 102 of the Agreement;

(b) States which are members of the OACPS but which are not yet party to the Agreement, as well as States with observer status in the OACPS;

(c) EU Overseas Countries and Territories (OCTs) in the Caribbean and Pacific regions;

(d) other third actors, including regional and continental organisations.

3. The Secretariat shall draw up and keep updated a list of observers pursuant to paragraphs 1 and 2.

4. Observers attending a meeting:

(a) shall not vote in the proceedings referred to in Article 5(1);

(b) shall not make oral statements during the meeting, except upon the invitation of the Co-chairs;

(c) may receive non-confidential information and documentation disseminated by the Secretariat.

In addition to the rights and obligations listed in the first subparagraph of this paragraph, the observers referred to in paragraph 1 and paragraph 2, points (a), (b) and (c), may submit written observations relating to the agenda items of the relevant meeting of the ALSOC.

Article 8

Confidentiality and official publications

1. Unless otherwise decided, meetings of the ALSOC shall not be public. Access to meetings of the ALSOC shall require a pass.

2. Without prejudice to other applicable provisions, the deliberations of the ALSOC shall be covered by the obligation of professional secrecy.

3. Each Party may decide to publish the decisions and recommendations of the ALSOC in their respective official publications.

Article 9

Communications and minutes of meetings

1. Any communication provided for in these Rules of Procedure shall be transmitted through the Secretariat of the Council to the representatives of each OACPS Member, the Secretariat of the OACPS, the High Representative of the Union for Foreign Affairs and Security Policy, the Permanent Representatives of the Member States of the European Union, the General Secretariat of the Council of the European Union and the European Commission.

2. The communications referred to in paragraph 1 shall also be sent to the President of the EIB when they concern the EIB.

3. Draft minutes of each meeting, noting in particular the decisions taken by the ALSOC, shall be drawn up by the Secretariat and made available to the Parties. The draft minutes shall be submitted to the ALSOC for approval.

Article 10

Working languages and documentation

1. The working languages of the ALSOC shall be English, French, Portuguese and Spanish.

2. The ALSOC shall conduct its deliberations on the basis of documents drafted in English and, subject to a request by either Party, in an additional working language as referred to in paragraph 1.

Article 11

Forms of acts

1. Decisions and recommendations within the meaning of Article 89(1) of the Agreement shall be entitled ‘Decision’ or ‘Recommendation’, respectively, followed by a serial number, the date of adoption and a description of the subject.

2. They shall be concluded with the formulation ‘Done at …’, ‘(date)’, the date being the date of adoption.

3. Decisions shall specify the date on which they are to enter into force.

4. The decisions and recommendations adopted by the ALSOC shall be signed by the Chair in the lead and authenticated by the Co-secretaries, and shall be kept by the Secretariat.

5. The decisions and recommendations shall be transmitted, through the Secretariat, to the recipients referred to in Article 9(1).

Article 12

Subcommittees

1. The ALSOC may, by decision, set up subcommittees to carry out the work it considers necessary for the fulfilment of its tasks as set out in Article 89(2) of the Agreement.

2. The ALSOC may adopt the rules of procedure for the subcommittees it sets up. In the absence of the adoption of such rules of procedure by the ALSOC, the subcommittees may adopt their own rules of procedure.

Article 13

Secretariat

The Secretariat of the ALSOC shall be the same as the one established for the Council in accordance with Article 16 of the Rules of Procedure of the Council.

Article 14

Amendment of the Rules of Procedure

These Rules of Procedure may be amended by a decision of the ALSOC in accordance with Article 5.

DRAFT

DECISION No … /2025
OF THE AFRICA-EU JOINT COMMITTEE

of …

concerning the adoption of the Rules of Procedure
of the Africa-EU Joint Committee

THE AFRICA-EU JOINT COMMITTEE,

Having regard to the Partnership Agreement between the European Union and its Member States, of the one part, and Members of the Organisation of African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), and in particular Article 93(4) thereof,

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

Whereas:

(1) In accordance with Article 93(3) of the Agreement, the Africa-EU Joint Committee shall assist the Africa-EU Council of Ministers in the fulfilment of its tasks and carry out any mandate entrusted to it by the Africa-EU Council of Ministers.

(2) Pursuant to Article 93(4) of the Agreement, the Africa-EU Joint Committee is to adopt its rules of procedure at its first meeting,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Africa-EU Joint Committee, as set out in the Annex to this Decision, are adopted.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at …, …

For the Africa-EU Joint Committee
The Chair

ANNEX

Rules of Procedure of the Africa-EU Joint Committee

Article 1

Scope

The provisions under these Rules of Procedure shall be legally binding only on the parties bound by the Africa Regional Protocol of the Partnership Agreement between the European Union and its Member States of the one part, and the Members of the Organisation of the African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), in accordance with Article 1(1) of that Protocol.

Article 2

General provisions

1. The Africa-EU Joint Committee (hereinafter referred to as the 'Committee'), shall perform its tasks as provided for in Article 93 of the Agreement.

2. Reference to a 'Party' or 'either Party' in these Rules of Procedure shall be understood as a reference to the European Union and its Member States (hereinafter referred to as the 'EU Party') or to the African OACPS Members, as referred to in Article 6(3) of the Agreement, whereby each Party shall act collectively. Reference to the 'Parties' shall be understood as a reference to both the EU Party and the African OACPS Members.

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

3. In accordance with Article 93(1) of the Agreement, the Committee shall comprise, on the one hand, a representative of each African OACPS Member at ambassadorial or senior official level and, on the other hand, representatives of the European Union and of its Member States at ambassadorial or senior official level.

4. The Committee shall meet whenever it is deemed necessary on the initiative of the Co-chairs, and in particular to prepare the sessions of the Africa-EU Council of Ministers (hereinafter referred to as the 'Council').

5. The Committee shall be convened by its Co-chairs. The dates of its meetings shall be fixed by common agreement between the Parties.

6. The Committee shall meet in Brussels. In duly justified cases, the Committee may meet at a venue in one of the African OACPS Members, as fixed by common agreement between the Parties.

7. Upon decision of the Co-chairs, the Committee may meet in a virtual or hybrid format if circumstances so require.

Article 3

Co-chairs

1. As provided for in Article 93(2) of the Agreement, the Committee shall be co-chaired by the same Parties that hold the office of Co-chairs of the Council.

2. The office of Chair of the Committee (hereinafter referred to as the 'Chair in the lead') shall be held alternately in accordance with Article 3(2) of the Rules of Procedure of the Council.

Article 4

The Committee's functions

1. In accordance with Article 93(3) of the Agreement, the Committee shall prepare the sessions of the Council, assist the Council in the fulfilment of its tasks, and carry out any mandate entrusted to it by the Council. In that context, it shall monitor the implementation of the Africa Regional Protocol and the progress towards achieving the objectives set therein.

2. The Committee shall report to the Council, in particular on matters for which powers have been delegated.

3. It shall submit to the Council any recommendations that it considers necessary or appropriate.

Article 5

Agenda of meetings

1. The provisional agenda for each meeting shall be drawn up by the Chair in the lead on the basis of common agreement between the Parties. It shall be communicated to the other members of the Committee at least 14 days before the date of the meeting.

2. The provisional agenda shall include the items in respect of which the Co-chairs have received a request for inclusion at least 17 days before the date of the meeting. Any documentation relating to the agenda items shall be transmitted to the Secretariat in time for it to be forwarded to the members of the Committee at least 8 days before the date of the meeting.

3. 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 either Party, to include on the agenda items in respect of which the time limits laid down in paragraph 1 have not been observed.

Article 6

Proceedings

1. The Committee shall take its decisions and make recommendations by common agreement of the Parties.

2. When the Committee meets in a virtual or hybrid format, the adoption of decisions and recommendations shall follow the written procedure laid down in Article 7.

3. The proceedings of the Committee shall be valid only if the representatives of the European Union, the representatives of at least half of the Member States of the European Union, and the representatives of at least two thirds of the African OACPS Members are present.

4. Members of the Committee who are unable to attend proceedings may authorise another member to act on their behalf and to exercise all their rights. The member who is unable to attend shall inform the Co-chairs through the Secretariat accordingly and indicate the member it has authorised.

5. The members of the Committee may be accompanied by advisers to assist them.

6. The composition of each delegation shall be communicated to the Co-chairs through the Secretariat before the beginning of each session.

7. A representative of the European Investment Bank (hereinafter referred to as the 'EIB'), shall be present at the Committee meetings when matters pertaining to areas which concern the EIB are on the agenda.

8. Unless decided otherwise, the Co-chairs may reserve discussions of certain agenda items to the presence of the Parties only.

Article 7

Written procedure

1. The Committee may take decisions or make recommendations by written procedure. The use of a written procedure may be proposed by either Party and may be initiated following the agreement of the Co-chairs.

2. At the same time as the written procedure is initiated, a reasonable time limit for replies shall be fixed. Upon the expiry of that time limit, the Chair in the lead shall conclude that the proposal for a decision or recommendation has been approved, unless either Party has objected.

Article 8

Observers

1. Representatives of any African OACPS Member that is signatory to the Agreement ('signatory State') which on the date of entry into force of the Agreement has not yet completed the procedures referred to in Article 98 (1) and (2) thereof may attend sessions of the Committee as observers. Such observer status shall be maintained until the signatory State concerned completes those procedures within the deadline set out in Article 98(3) of the Agreement or, failing that, for an indefinite period.

2. Representatives of the following third actors may, by decision of the Committee, attend sessions of the Committee as observers:

(a) States in the Africa region which have applied for accession to the Agreement under the procedures referred to in Article 102 of the Agreement;

(b) States in the Africa region which are members of the OACPS, but which are not yet party to the Agreement, as well as States in the Africa region with observer status in the OACPS;

(c) other third actors, including regional and continental organisations.

3. The Secretariat shall draw up and keep updated a list of observers pursuant to paragraphs 1 and 2.

4. Observers attending a meeting:

(a) shall not vote in the proceedings referred to in Article 6(1);

(b) shall not make oral statements during the meeting, except upon the invitation of the Co-chairs;

(c) may receive non-confidential information and documentation disseminated by the Secretariat.

In addition to the rights and obligations listed in the first subparagraph of this paragraph, the observers referred to in paragraph 1 and paragraph 2, points (a) and (b), may submit written observations relating to the agenda items of the relevant meeting of the Committee.

Article 9

Confidentiality and official publications

1. Unless otherwise decided, meetings of the Committee shall not be public. Access to meetings of the Committee shall require a pass.

2. Without prejudice to other applicable provisions, the deliberations of the Committee shall be covered by the obligation of professional secrecy.

3. Each Party may decide to publish the decisions and recommendations of the Committee in their respective official publications.

Article 10

Communications and minutes of meetings

1. Any communication provided for in these Rules of Procedure shall be transmitted through the Secretariat to the representatives of each African OACPS Member, the Secretariat of the OACPS, the High Representative of the Union for Foreign Affairs and Security Policy, the Permanent Representatives of the Member States of the European Union, the General Secretariat of the Council of the European Union and the European Commission.

2. The communications referred to in paragraph 1 shall also be sent to the President of the EIB when they concern the EIB.

3. Draft minutes of each meeting, noting in particular the decisions taken by the Committee, shall be drawn up by the Secretariat and made available to the Parties. The draft minutes shall be submitted to the Committee for approval.

Article 11

Working languages and documentation

1. The working languages of the Committee shall be English and French.

2. Unless decided otherwise, the Committee shall conduct its deliberations on the basis of documents drafted in the languages referred to in paragraph 1.

Article 12

Forms of acts

1. Decisions and recommendations adopted by the Committee shall be entitled 'Decision' or 'Recommendation', respectively, followed by a serial number, the date of adoption and a description of the subject.

2. They shall be concluded with the formulation 'Done at …', '(date)', the date being the date of adoption.

3. Decisions shall specify the date on which they are to enter into force.

4. The decisions and recommendations adopted by the Committee shall be signed by the Chair in the lead and authenticated by the Co-secretaries, and shall be kept by the Secretariat.

5. The decisions and recommendations shall be transmitted, through the Secretariat, to the recipients referred to in Article 10(1).

Article 13

Subcommittees

1. The Committee may, by decision, set up subcommittees to carry out the work it considers necessary for the fulfilment of its tasks as set out in Article 93(3) of the Agreement.

2. The Committee may adopt the rules of procedure for the subcommittees it sets up. In the absence of the adoption of such rules of procedure by the Committee, the subcommittees may adopt their own rules of procedure.

Article 14

Secretariat

The Secretariat of the Committee shall be the same as the one established for the Council in accordance with Article 17 of the Rules of Procedure of the Council.

Article 15

Engagement with the EU outermost regions

Engagement with the EU outermost regions in the Africa region in areas of common interest shall be encouraged by the Co-chairs, as well as the relevant Member States of the European Union, in accordance with Article 3(7) of the Africa Regional Protocol of the Agreement.

Article 16

Amendment of the Rules of Procedure

These Rules of Procedure may be amended by a decision of the Committee in accordance with Article 6.

DRAFT

DECISION No … /2025
OF THE CARIBBEAN-EU JOINT COMMITTEE

of …

concerning the adoption of the Rules of Procedure
of the Caribbean-EU Joint Committee

THE CARIBBEAN-EU JOINT COMMITTEE,

Having regard to the Partnership Agreement between the European Union and its Member States, of the one part, and Members of the Organisation of African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), and in particular Article 93(4) thereof,

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

Whereas:

(1) In accordance with Article 93(3) of the Agreement, the Caribbean-EU Joint Committee shall assist the Caribbean-EU Council of Ministers in the fulfilment of its tasks and carry out any mandate entrusted to it by the Caribbean-EU Council of Ministers.

(2) Pursuant to Article 93(4) of the Agreement, the Caribbean-EU Joint Committee is to adopt its rules of procedure at its first meeting,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Caribbean-EU Joint Committee, as set out in the Annex to this Decision, are adopted.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at …, …

For the Caribbean-EU Joint Committee
The Chair

ANNEX

Rules of Procedure of the Caribbean-EU Joint Committee

Article 1

Scope

The provisions under these Rules of Procedure shall be legally binding only on the parties bound by the Caribbean Regional Protocol of the Partnership Agreement between the European Union and its Member States of the one part, and the Members of the Organisation of the African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), in accordance with Article 1(1) of that Protocol.

Article 2

General provisions

1. The Caribbean-EU Joint Committee (hereinafter referred to as the 'Committee'), shall perform its tasks as provided for in Article 93 of the Agreement.

2. Reference to a 'Party' or 'either Party' in these Rules of Procedure shall be understood as a reference to the European Union and its Member States (hereinafter referred to as the 'EU Party') or to the Caribbean OACPS Members, as referred to in Article 6(3) of the Agreement, whereby each Party shall act collectively. Reference to the 'Parties' shall be understood as a reference to both the EU Party and the Caribbean OACPS Members.

[1] OJ EU L, 2023/2862, 28.12.2023, ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

3. In accordance with Article 93(1) of the Agreement, the Committee shall comprise, on the one hand, a representative of each Caribbean OACPS Member at ambassadorial or senior official level and, on the other hand, representatives of the European Union and of its Member States at ambassadorial or senior official level.

4. The Committee shall meet whenever it is deemed necessary on the initiative of the Co-chairs, and in particular to prepare the sessions of the Caribbean-EU Council of Ministers (hereinafter referred to as the 'Council').

5. The Committee shall be convened by its Co-chairs. The dates of its meetings shall be fixed by common agreement between the Parties.

6. The Committee shall meet in Brussels. In duly justified cases, the Committee may meet at a venue in one of the Caribbean OACPS Members, as fixed by common agreement between the Parties.

7. Upon decision of the Co-chairs, the Committee may meet in a virtual or hybrid format if circumstances so require.

Article 3

Co-chairs

1. As provided for in Article 93(2) of the Agreement, the Committee shall be co-chaired by the same Parties that hold the office of Co-chairs of the Council.

2. The office of Chair of the Committee (hereinafter referred to as the 'Chair in the lead') shall be held alternately in accordance with Article 3(2) of the Rules of Procedure of the Council.

Article 4

The Committee's functions

1. In accordance with Article 93(3) of the Agreement, the Committee shall prepare the sessions of the Council, assist the Council in the fulfilment of its tasks and carry out any mandate entrusted to it by the Council. In that context, it shall monitor the implementation of the Caribbean Regional Protocol and the progress towards achieving the objectives set out therein.

2. The Committee shall report to the Council, in particular on matters for which powers have been delegated.

3. It shall submit to the Council any recommendations that it considers necessary or appropriate.

Article 5

Agenda of meetings

1. The provisional agenda for each meeting shall be drawn up by the Chair in the lead on the basis of common agreement between the Parties. It shall be communicated to the other members of the Committee at least 14 days before the date of the meeting.

2. The provisional agenda shall include the items in respect of which the Co-chairs have received a request for inclusion at least 17 days before the date of the meeting. Any documentation relating to the agenda items shall be transmitted to the Secretariat in time for it to be forwarded to the members of the Committee at least 8 days before the date of the meeting.

3. 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 either Party, to include on the agenda items in respect of which the time limits laid down in paragraph 1 have not been observed.

Article 6

Proceedings

1. The Committee shall take its decisions and make recommendations by common agreement of the Parties.

2. When the Committee meets in a virtual or hybrid format, the adoption of decisions and recommendations shall follow the written procedure laid down in Article 7.

3. The proceedings of the Committee shall be valid only if the representatives of the European Union, the representatives of at least half of the Member States of the European Union, and the representatives of at least two thirds of the Caribbean OACPS Members are present.

4. Members of the Committee who are unable to attend proceedings may authorise another member to act on their behalf and to exercise all their rights. The member who is unable to attend shall inform the Co-chairs through the Secretariat accordingly and indicate the member it has authorised.

5. The members of the Committee may be accompanied by advisers to assist them.

6. The composition of each delegation shall be communicated to the Co-chairs through the Secretariat before the beginning of each session.

7. A representative of the European Investment Bank (hereinafter referred to as the 'EIB') shall be present at the Committee meetings when matters pertaining to areas which concern the EIB are on the agenda.

8. Unless decided otherwise, the Co-chairs may reserve discussions of certain agenda items to the presence of the Parties only.

Article 7

Written procedure

1. The Committee may take decisions or make recommendations by written procedure. The use of a written procedure may be proposed by either Party and may be initiated following the agreement of the Co-chairs.

2. At the same time as the written procedure is initiated, a reasonable time limit for replies shall be fixed. Upon the expiry of that time limit, the Chair in the lead shall conclude that the proposal for a decision or recommendation has been approved, unless either Party has objected.

Article 8

Observers

1. Representatives of any Caribbean OACPS Member that is signatory to the Agreement ('signatory State') which on the date of entry into force of the Agreement has not yet completed the procedures referred to in Article 98(1) and (2) thereof may attend sessions of the Committee as observers. Such observer status shall be maintained until the signatory State concerned completes those procedures within the deadline set out in Article 98(3) of the Agreement or, failing that, for an indefinite period.

2. EU Overseas Countries and Territories (OCTs) in the Caribbean region may attend sessions of the Committee as observers, as provided for in Article 6(2) of the Caribbean Regional Protocol.

3. Representatives of the following third actors may, by decision of the Committee, attend sessions of the Committee, as observers:

   (a) States in the Caribbean region which have applied for accession to the Agreement under the procedures referred to in Article 102 of the Agreement;

(b) States in the Caribbean region which are members of the OACPS, but which are not yet party to the Agreement, as well as States in the Caribbean region with observer status in the OACPS;

(c) other third actors, including regional and continental organisations.

4. The Secretariat shall draw up and keep updated a list of observers pursuant to paragraphs 1, 2 and 3.

5. The observers attending a meeting:

(a) shall not vote in proceedings referred to in Article 6(1);

(b) shall not make oral statements during the meeting, except upon the invitation of the Co-chairs;

(c) may receive non-confidential information and documentation disseminated by the Secretariat.

In addition to the rights and obligations listed in the first subparagraph of this paragraph, the observers referred to in paragraphs 1 and 2 and paragraph 3, points (a) and (b), may submit written observations relating to the agenda items of the relevant meeting of the Committee.

Article 9

Confidentiality and official publications

1. Unless otherwise decided, meetings of the Committee shall not be public. Access to meetings of the Committee shall require a pass.

2. Without prejudice to other applicable provisions, the deliberations of the Committee shall be covered by the obligation of professional secrecy.

3. Each Party may decide to publish the decisions and recommendations of the Committee in their respective official publications.

Article 10

Communications and minutes of meetings

1. Any communication provided for in these Rules of Procedure shall be transmitted through the Secretariat to the representatives of each Caribbean OACPS Member, the Secretariat of the OACPS, the High Representative of the Union for Foreign Affairs and Security Policy, the Permanent Representatives of the Member States of the European Union, the General Secretariat of the Council of the European Union and the European Commission.

2. The communications referrred to in paragraph 1 shall also be sent to the President of the EIB when they concern the EIB.

3. Draft minutes of each meeting, noting in particular the decisions taken by the Committee, shall be drawn up by the Secretariat and made available to the Parties. The draft minutes shall be submitted to the Committee for approval.

Article 11

Working languages and documentation

1. The working languages of the Committee shall be English and French.

2. Unless decided otherwise, the Committee shall conduct its deliberations on the basis of documents drafted in the languages referred to in paragraph 1.

Article 12

Forms of acts

1. Decisions and recommendations adopted by the Committee shall be entitled 'Decision' or 'Recommendation', respectively, followed by a serial number, the date of adoption and a description of the subject.

2. They shall be concluded with the formulation 'Done at …', '(date)', the date being the date of adoption.

3. Decisions shall specify the date on which they are to enter into force.

4. The decisions and recommendations adopted by the Committee shall be signed by the Chair in the lead and authenticated by the Co-secretaries, and shall be kept by the Secretariat.

5. The decisions and recommendations shall be transmitted, through the Secretariat, to the recipients referred to in Article 10(1).

Article 13

Subcommittees

1. The Committee may, by decision, set up subcommittees to carry out the work it considers necessary for the fulfilment of its tasks as set out in Article 93(3) of the Agreement.

2. The Committee may adopt the rules of procedure for the subcommittees it sets up. In the absence of the adoption of such rules of procedure by the Committee, the subcommittees may adopt their own rules of procedure.

Article 14

Secretariat

The Secretariat of the Committee shall be the same as the one established for the Council in accordance with Article 17 of the Rules of Procedure of the Council.

Article 15

Engagement with the EU outermost regions

Engagement with the EU outermost regions in the Caribbean region in areas of common interest shall be encouraged by the Co-chairs, as well as the relevant Member States of the European Union, in accordance with Articles 6(1) and 51(2) of the Caribbean Regional Protocol of the Agreement.

Article 16

Amendment of the Rules of Procedure

These Rules of Procedure may be amended by a decision of the Committee in accordance with Article 6.

DRAFT

DECISION No … /2025
OF THE PACIFIC-EU JOINT COMMITTEE

of …

concerning the adoption of the Rules of Procedure
of the Pacific-EU Joint Committee

THE PACIFIC-EU JOINT COMMITTEE,

Having regard to the Partnership Agreement between the European Union and its Member States, of the one part, and Members of the Organisation of African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as the 'Agreement'), and in particular Article 93(4) thereof,

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

Whereas:

(1) In accordance with Article 93(3) of the Agreement, the Pacific-EU Joint Committee shall assist the Pacific-EU Council of Ministers in the fulfilment of its tasks and carry out any mandate entrusted to it by the Pacific-EU Council of Ministers.

(2) Pursuant to Article 93(4) of the Agreement, the Pacific-EU Joint Committee is to adopt its rules of procedure at its first meeting.

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Pacific-EU Joint Committee, as set out in the Annex to this Decision, are adopted.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at …, …

For the Pacific-EU Joint Committee
The Chair

ANNEX

Rules of Procedure of the Pacific-EU Joint Committee

Article 1

Scope

The provisions under these Rules of Procedure shall be legally binding only on the parties bound by the Pacific Regional Protocol of the Partnership Agreement between the European Union and its Member States of the one part, and the Members of the Organisation of the African, Caribbean and Pacific States, of the other part[1], signed in Samoa on 15 November 2023 (hereinafter referred to as 'the Agreement'), in accordance with Article 1(1) of that Protocol.

Article 2

General provisions

1. The Pacific-EU Joint Committee (hereinafter referred to as the 'Committee'), shall perform its tasks as provided for in Article 93 of the Agreement.

2. Reference to a 'Party' or 'either Party' in these Rules of Procedure shall be understood as a reference to the European Union and its Member States (hereinafter referred to as the 'EU Party') or to the Pacific OACPS Members, as referred to in Article 6(3) of the Agreement, whereby each Party shall act collectively. Reference to the 'Parties' shall be understood as a reference to both the EU Party and the Pacific OACPS Members.

[1] OJ EU L, 2023/2862, 28.12.2023,
ELI: http://data.europa.eu/eli/agree_internation/2023/2862/oj.

3. In accordance with Article 93(1) of the Agreement, the Committee shall comprise, on the one hand, a representative of each Pacific OACPS Member at ambassadorial or senior official level and, on the other hand, representatives of the European Union and of its Member States at ambassadorial or senior official level.

4. The Committee shall meet whenever it is deemed necessary on the initiative of the Co-chairs, and in particular to prepare the sessions of the Pacific-EU Council of Ministers (hereinafter referred to as the 'Council').

5. The Committee shall be convened by its Co-chairs. The dates of its meetings shall be fixed by common agreement between the Parties.

6. The Committee shall meet in Brussels. In duly justified cases, the Committee may meet at a venue in one of the Pacific OACPS Members, as fixed by common agreement between the Parties.

7. Upon decision of the Co-chairs, the Committee may meet in a virtual or hybrid format if circumstances so require.

Article 3

Co-chairs

1. As provided for in Article 93(2) of the Agreement, the Committee shall be co-chaired by the same Parties that hold the office of Co-chairs of the Council.

2. The office of Chair of the Committee (hereinafter referred to as the 'Chair in the lead') shall be held alternately in accordance with Article 3(2) of the Rules of Procedure of the Council.

Article 4

The Committee's functions

1. In accordance with Article 93(3) of the Agreement, the Committee shall prepare the sessions of the Council, assist the Council in the fulfilment of its tasks, and carry out any mandate entrusted to it by the Council. In that context, it shall monitor the implementation of the Pacific Regional Protocol and the progress towards achieving the objectives set out therein.

2. The Committee shall report to the Council, in particular on matters for which powers have been delegated.

3. It shall submit to the Council any recommendations that it considers necessary or appropriate.

Article 5

Agenda of meetings

1. The provisional agenda for each meeting shall be drawn up by the Chair in the lead on the basis of common agreement between the Parties. It shall be communicated to the other members of the Committee at least 14 days before the date of the meeting.

2. The provisional agenda shall include the items in respect of which the Co-chairs have received a request for inclusion at least 17 days before the date of the meeting. Any documentation relating to the agenda items shall be transmitted to the Secretariat in time for it to be forwarded to the members of the Committee at least 8 days before the date of the meeting.

3. 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 either Party, to include on the agenda items in respect of which the time limits laid down in paragraph 1 have not been observed.

Article 6

Proceedings

1. The Committee shall take its decisions and make recommendations by common agreement of the Parties.

2. When the Committee meets in a virtual or hybrid format, the adoption of decisions and recommendations shall follow the written procedure laid down in Article 7.

3. The proceedings of the Committee shall be valid only if the representatives of the European Union, the representatives of at least half of the Member States of the European Union, and the representatives of at least two thirds of the Pacific OACPS Members are present.

4. Members of the Committee who are unable to attend proceedings may authorise another member to act on their behalf and to exercise all their rights. The member who is unable to attend shall inform the Co-chairs through the Secretariat accordingly and indicate the member it has authorised.

5. The members of the Committee may be accompanied by advisers to assist them.

6. The composition of each delegation shall be communicated to the Co-chairs through the Secretariat before the beginning of each session.

7. A representative of the European Investment Bank (hereinafter referred to as the 'EIB'), shall be present at the Committee meetings when matters pertaining to areas which concern the EIB are on the agenda.

8. Unless decided otherwise, the Co-chairs may reserve discussions of certain agenda items to the presence of the Parties only.

Article 7

Written procedure

1. The Committee may take decisions or make recommendations by written procedure. The use of a written procedure may be proposed by either Party and may be initiated following the agreement of the Co-chairs.

2. At the same time as the written procedure is initiated, a reasonable time limit for replies shall be fixed. Upon the expiry of this that limit, the Chair in the lead shall conclude that the proposal for a decision or recommendation has been approved, unless either Party has objected.

Article 8

Observers

1. Representatives of any Pacific OACPS Member that is signatory to the Agreement ('signatory State') which on the date of entry into force of the Agreement has not yet completed the procedures referred to in Article 98(1) and (2) thereof may attend sessions of the Committee as observers. Such observer status shall be maintained until the signatory State concerned completes those procedures within the deadline set out in Article 98(3) of the Agreement or, failing that, for an indefinite period.

2. EU Overseas Countries and Territories (OCTs) in the Pacific region may attend sessions of the Committee as observers, as provided for in Article 6(3) of the Pacific Regional Protocol.

3. Representatives of the following third actors may, by decision of the Committee, attend sessions of the Committee as observers:

   (a) States in the Pacific region which have applied for accession to the Agreement under the procedures referred to in Article 102 of the Agreement;

   (b) States in the Pacific region which are members of the OACPS but which are not yet party to the Agreement, as well as States in the Pacific region with observer status in the OACPS;

   (c) other third actors, including regional and continental organisations.

4. The Secretariat shall draw up and keep updated a list of observers pursuant to paragraphs 1, 2 and 3.

5. Observers attending a meeting:

   (a) shall not vote in proceedings referred to in Article 6(1);

   (b) shall not make oral statements during the meeting, except upon the invitation of the Co-chairs;

   (c) may receive non-confidential information and documentation disseminated by the Secretariat.

In addition to the rights and obligations listed in the first subparagraph of this paragraph, the observers referred to in paragraphs 1 and 2 and paragraph 3, points (a) and (b), may submit written observations relating to the agenda items of the relevant meeting of the Committee.

Article 9

Confidentiality and official publications

1. Unless otherwise decided, meetings of the Committee shall not be public. Access to meetings of the Committee shall require a pass.

2. Without prejudice to other applicable provisions, the deliberations of the Committee shall be covered by the obligation of professional secrecy.

3. Each Party may decide to publish the decisions and recommendations of the Committee in their respective official publications.

Article 10

Communications and minutes of meetings

1. Any communication provided for in these Rules of Procedure shall be transmitted through the Secretariat to the representatives of each Pacific OACPS Member, the Secretariat of the OACPS, the High Representative of the Union for Foreign Affairs and Security Policy, the Permanent Representatives of the Member States of the European Union, the General Secretariat of the Council of the European Union and the European Commission.

2. The communications referred to in paragraph 1 shall also be sent to the President of the EIB when they concern the EIB.

3. Draft minutes of each meeting, noting in particular the decisions taken by the Committee, shall be drawn up by the Secretariat and made available to the Parties. The draft minutes shall be submitted to the Committee for approval.

Article 11

Working languages and documentation

1. The working languages of the Committee shall be English and French.

2. The Committee shall conduct its deliberations on the basis of documents drafted in English and, subject to a request by either Party, in the other working language referred to in paragraph 1.

Article 12

Forms of acts

1. Decisions and recommendations adopted by the Committee shall be entitled 'Decision' or 'Recommendation', respectively, followed by a serial number, the date of adoption and a description of the subject.

2. They shall be concluded with the formulation 'Done at …', '(date)', the date being the date of adoption.

3. Decisions shall specify the date on which they are to enter into force.

4. The decisions and recommendations adopted by the Committee shall be signed by the Chair in the lead and authenticated by the Co-secretaries, and shall be kept by the Secretariat.

5. The decisions and recommendations shall be transmitted, through the Secretariat, to the recipients referred to in Article 10(1).

Article 13

Subcommittees

1. The Committee may, by decision, set up subcommittees to carry out the work it considers necessary for the fulfilment of its tasks as set out in Article 93(3) of the Agreement.

2. The Committee may adopt the rules of procedure for the subcommittees it sets up. In the absence of the adoption of such rules of procedure by the Committee, the subcommittees may adopt their own rules of procedure.

Article 14

Secretariat

The Secretariat of the Committee shall be the same as the one established for the Council in accordance with Article 17 of the Rules of Procedure of the Council.

Article 15

Amendment of the Rules of Procedure

These Rules of Procedure may be amended by a decision of the Committee in accordance with Article 6.