Council of the European Union

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REV 1

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COASI 129

'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)
No. Cion doc.:	ST 12386/20 WTO 293 COASI 128 + ADD 1
Subject:	Council Decision on the position to be taken on behalf of the European Union within the Joint Committee established under the Agreement between the European Union and Japan for an Economic Partnership, as regards the amendment of Appendices 2-C-1 and 2-C-2 to Annex 2-C on Motor Vehicles and Parts - Approval - Decision to use the written procedure for the adoption

1. On 28 October 2020, the Commission submitted to the Council the above mentioned proposal (doc. 12386/20 + ADD 1).

2. The Trade Policy Committee (Deputies) was consulted on this text in writing and endorsed it, on 11 November 2020, as modified to take into account a number of necessary adjustments.

3. In the light of the above and given the current exceptional circumstances, which make it impossible to adopt "A" items at Council meetings in the coming weeks, the Permanent Representatives' Committee is invited to:

- confirm its agreement on the texts of the Council Decision and the Decision of the EU - Japan Joint Committee, as finalised by the legal-linguistic experts and set out in documents 12430/20 and 12431/20 respectively;

- decide, in accordance with the first sub-paragraph of Article 12(1) of the Council's Rules of Procedure, and Article 1 of Council Decision (EU) 2020/430, that the Council uses the written procedure for the adoption of the above mentioned Council Decision;

- decide to order the publication in the Official Journal of the European Union of the Decision of the EU - Japan Joint Committee, as set out in document 12431/20, once adopted;

- note that the European Parliament will be informed, in accordance with Article 218(10) TFEU, and that the Decision will be transmitted to the European Parliament; and

- decide to enter in its minutes the statement contained in annex to this note.

ANNEX

Statement by the Commission

The Commission considers that the Council Decision should be addressed to the Commission, and therefore considers the changes to Article 2 to be inappropriate.

The expression of the Union position in a body set up by an agreement is an act of external representation of the Union which, in accordance with Article 17(1) TEU, is the institutional prerogative of the Commission.

The Commission reserves all its rights in this regard.