



Council of the
European Union

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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Draft Decision of the Trade Council established by the Interim Agreement on Trade between the European Union and the Republic of Chile, as regards the adoption of the rules of procedure of the Trade Council and the rules of procedure of the Trade Committee

Draft

**DECISION
OF THE TRADE COUNCIL ESTABLISHED BY THE INTERIM AGREEMENT ON
TRADE BETWEEN THE EUROPEAN UNION AND THE REPUBLIC OF CHILE**

on the adoption of the Rules of Procedure for the Trade council and the Trade Committee

THE TRADE COUNCIL,

Having regard to the Interim Agreement on Trade between the European Union and the Republic of Chile, and in particular Article 33.1(5) thereof,

Whereas:

- (1) The Interim Agreement on Trade between the European Union and the Republic of Chile (hereinafter “the Agreement”) entered into force on 1 February 2025.
- (2) Article 33.1(1) of the Agreement establishes the Trade Council.
- (3) Article 33.2(1) of the Agreement establishes the Trade Committee.
- (4) To ensure the functioning of the Trade Council and the Trade Committee, the Rules of Procedure of these bodies should be established.
- (5) Article 33.1(5) of the Agreement provides that “*The Trade Council shall establish its own rules of procedure and the rules of procedure of the Trade Committee at its first meeting*”,

HAS ADOPTED THIS DECISION:

Article 1

The following legal acts are hereby adopted:

- (a) The Rules of Procedure of the Trade Council contained in the Annex 1 to this Decision;
- (b) the Rules of Procedure of the Trade Committee contained in Annex 2 to this Decision.

Article 2

1. This Decision has been drawn up in duplicate in English language. Each Party may translate the text of this Decision into the languages required for its internal procedures or the information of the public.
2. This Decision shall enter into force on the day of its adoption.

For the Trade Council,

The Chairperson The Secretaries

Annex 1

RULES OF PROCEDURE OF THE TRADE COUNCIL

Rule 1

Role of the Trade Council

The Trade Council established pursuant to Article 33.1 of the Interim Agreement on Trade between the European Union and Chile (hereinafter “the Agreement”) is responsible for all matters or issues referred to in that Article.

Rule 2

Composition and chair

1. The composition and chair of the Trade Council is set out in Article 33.1(3).
2. Before the first meeting of the Trade Council, each Party shall notify to the other Party the name, position and contact details of the designated official who is in charge of co-chairing the Trade Council for that Party. This designated official is deemed to have the authorisation of representing that Party until the date the Party has notified to the other Party a new designated official.

Rule 3

Coordinators

Before the first meeting of the Trade Council, each Party shall notify to the other Party, the name, position and contact details of the official appointed as coordinator for that Party, pursuant to Article 33.3(1) of the Agreement. This official is deemed to continue acting as coordinator for the Party until the date that Party has notified to the other Party a new official.

Rule 4

Convening of the meetings

The meetings of the Trade Council pursuant to Article 33.1(2) of the Agreement shall be convened by the co-chair of the Party hosting the meeting.

Rule 5

Delegations

At least two weeks before a meeting, the coordinators shall inform each other of the intended composition of the delegation of the European Union and of Chile, respectively, specifying the name and function of each member of the delegation.

Rule 6

Agenda for the meetings

1. At least 21 days in advance of a meeting, or 14 days in advance in case of urgent meetings, the coordinator of the Party hosting the meeting shall send a proposal for a provisional agenda to the other Party, with a deadline to provide comments. At least 14 days in advance of the meeting, or 10 days in advance in case of urgent meetings, the coordinators shall draw up the provisional agenda, taking into account the comments.
2. The Trade Council shall adopt the agenda at the beginning of the meeting. Items not appearing on the provisional agenda may be placed on the agenda by mutual agreement of the co-chairs.

Rule 7

Invitation of experts

The co-chairs of the Trade Council may, by mutual agreement, invite experts, in particular persons other than government officials, to attend the meetings of the Trade Council in order to provide information on specific subjects and only for the parts of the meeting where such specific subjects are discussed.

Rule 8

Minutes

1. The coordinator of the Party hosting the meeting shall prepare draft minutes of each meeting within 15 days after the end of the meeting, unless otherwise decided by the co-chairs. The draft minutes shall be transmitted for comments to the coordinator of the other Party.
2. The minutes shall, as a general rule, summarise each item on the agenda, specifying where applicable:
 - (a) all documents submitted to the Trade Council;
 - (b) any statement that one of the co-chairs of the Trade Council requested to be entered in the minutes; and
 - (c) the decisions and recommendations adopted, statements agreed upon and conclusions adopted on specific items.

3. The minutes shall include in an annex:
 - (a) a list of all decisions of the Trade Council adopted by written procedure pursuant to Rule 9(2) since the last meeting of the Council, where applicable;
 - (b) a list of the names and function of all individuals who attended the meeting of the Trade Council; and
 - (c) a list of all decisions of the Trade Council adopted in that meeting.
4. The coordinators shall adjust the draft minutes on the basis of the comments received. The draft minutes, as revised, shall be approved by agreement of the co-chairs within 30 days after the date of the meeting, or by any other date agreed by the co-chairs. Once approved, the coordinator of the Party hosting the meeting shall issue two original copies of the minutes and transmit one to each Party.

Rule 9

Decisions and recommendations

1. The Trade Council may adopt decisions and recommendations in respect of all matters where the Agreement so provides.
2. In the period between meetings, the Trade Council may adopt decisions and recommendations by written procedure. In such cases, the co-chair of the Trade Council shall send the proposed text of a draft decision or recommendation to the other co-chair in the working language of the Trade Council, with a time period of at least one month to react. If the other co-chair does not agree or does not react, the proposed decision or recommendation shall be discussed and may be adopted at the next meeting of the Trade Council. The draft decision or recommendation shall be deemed to be adopted on the date on which the co-chair of the other Party agrees and shall be recorded in the minutes of the Council meeting pursuant to Rule 8(4).

3. Where the Trade Council is empowered under the Agreement to adopt decisions or recommendations, such acts shall be entitled ‘Decision’ or ‘Recommendation’, respectively. The coordinators shall provide any decision or recommendation with a progressive serial number and the date of adoption. Each decision and recommendation shall provide for the date of its entry into force.
4. The decisions and recommendations adopted by the Trade Council shall be established in duplicate, authenticated by the co-chairs and transmitted one to each Party.

Rule 10

Transparency

1. The Trade Council may meet in public, if the co-chairs agree.
2. Each Party may decide to publish the decisions and recommendations of the Trade Council in its respective official publication or online.
3. For the submission of documents to the Trade Council, Article 32.4(2) applies.
4. The coordinators shall make available to the public:
 - (a) the provisional agenda of a meeting of the Trade Council before the meeting takes place; and
 - (b) the minutes of a meeting of the Trade Council following their approval in accordance with Rule 8.
5. Publication of any documents pursuant to paragraphs 2 to 4 shall be without prejudice to each Party’s applicable data protection or transparency rules.

Rule 11

Languages

1. The working language of the Trade Council shall be English.
2. The Trade Council shall adopt decisions concerning the amendment or interpretation of the Agreement pursuant to subparagraphs (a) and (b) of Article 33.1(6) of the Agreement, in the languages of the authentic texts of the Agreement. All other decisions and recommendations of the Trade Council shall be adopted in the working language.
3. Each Party shall be responsible for the translation of decisions and other documents into its own official language(s), where relevant, and shall meet expenditures associated with such translations.

Rule 12

Expenses

1. Each Party shall meet any expenses it incurs as a result of participating in the meetings of the Trade Council, in particular staff, travel and subsistence expenses and video, postal or telecommunications expenses.
2. The Party hosting the meeting shall bear any expenses in connection with the organisation of meetings, the reproduction of documents and the provision of interpretation services to and from the working language of the Trade Council.

RULES OF PROCEDURE OF THE TRADE COMMITTEE

Rule 1

Role of the Trade Committee

The Trade Committee established pursuant to Article 33.2 of the Interim Agreement on Trade between the European Union and Chile (hereinafter “the Agreement”) is responsible for all matters or issues referred to in that Article.

Rule 2

Composition and chair

1. The composition and chair of the Trade Committee is set out in Article 33.2(4).
2. Before the first meeting of the Trade Committee, each Party shall notify to the other Party the name, position and contact details of the designated official who is in charge of co-chairing the Trade Committee for that Party. This designated official is deemed to have the authorisation of representing that Party until the date the Party has notified to the other Party a new designated official.

Rule 3

Coordinators

Before the first meeting of the Trade Committee, each Party shall notify to the other Party , the name, position and contact details of the official appointed as coordinator for that Party, pursuant to Article 33.3(1) of the Agreement. This official is deemed to continue acting as coordinator for the Party until the date the Party has notified to the other Party a new official.

Rule 4

Convening of the meetings

The meetings of the Trade Committee pursuant to Article 33.2(3) of the Agreement shall be convened by the co-chair of the Party hosting the meeting.

Rule 5

Delegations

At least two weeks before a meeting, the coordinators shall inform each other of the intended composition of the delegation of the European Union and of Chile, respectively, specifying the name and function of each member of the delegation.

Rule 6

Agenda for the meetings

1. At least 21 days in advance of a meeting, or 14 days in advance in case of urgent meetings, the coordinator of the Party hosting the meeting shall send a proposal for a provisional agenda to the other Party, with a deadline to provide comments. At least 14 days, in advance of the meeting, or 10 days in advance in case of urgent meetings, the coordinators shall draw up the provisional agenda, taking into account the comments.
2. The Trade Committee shall adopt the agenda at the beginning of the meeting. Items not appearing on the provisional agenda may be placed on the agenda by mutual agreement of the co-chairs.

Rule 7

Invitation of experts

The co-chairs of the Trade Committee may, by mutual agreement, invite experts, in particular persons other than government officials, to attend the meetings of the Trade Committee in order to provide information on specific subjects and only for the parts of the meeting where such specific subjects are discussed.

Rule 8

Minutes

1. The coordinator of the Party hosting the meeting shall prepare draft minutes of each meeting within 15 days after the end of the meeting, unless otherwise decided by the co-chairs. The draft minutes shall be transmitted for comments to the coordinator of the other Party.
2. The minutes shall, as a general rule, summarise each item on the agenda, specifying where applicable:
 - (a) all documents submitted to the Trade Committee;
 - (b) any statement that one of the co-chairs of the Trade Committee requested to be entered in the minutes; and
 - (c) the decisions and recommendations adopted, statements agreed upon and conclusions adopted on specific items.

3. The minutes shall include in an annex:
 - (a) a list of all decisions of the Trade Committee adopted by written procedure pursuant to Rule 9(2) since the last meeting of the Committee, where applicable;
 - (b) a list of the names and function of all individuals who attended the meeting of the Trade Committee; and
 - (c) a list of all decisions of the Trade Committee adopted in that meeting.
4. The coordinators shall adjust the draft minutes on the basis of the comments received. The draft minutes, as revised, shall be approved by agreement of the co-chairs within 30 days after the date of the meeting, or by any other date agreed by the co-chairs. Once approved, the coordinator of the Party hosting the meeting shall issue two original copies of the minutes and transmit one to each Party.
5. Where the present rules apply to the meetings of Sub-Committees, *mutatis mutandis*, the minutes of the meetings of the Sub-Committees shall be made available for any subsequent meetings of the Trade Committee.

Rule 9

Decisions and recommendations

1. The Trade Committee may adopt decisions in the cases provided for in the Agreement, as well as recommendations, including when such powers have been delegated to it by the Trade Council.

2. In the period between meetings, the Trade Committee may adopt decisions and recommendations by written procedure. In such cases, the co-chair of the Trade Committee shall send the proposed text of a draft decision or recommendation to the other co-chair in the working language of the Trade Committee, with a time period of at least one month to react. If the other co-chair does not agree or does not react, the proposed decision or recommendation shall be discussed and may be adopted at the next meeting of the Trade Committee. The draft decision or recommendation shall be deemed to be adopted on the date on which the co-chair of the other Party agrees and shall be recorded in the minutes of the Committee meeting pursuant to Rule 8(4).
3. Where the Trade Committee is empowered under the Agreement to adopt decisions or recommendations, such acts shall be entitled ‘Decision’ or ‘Recommendation’, respectively. The coordinators shall provide any decision or recommendation with a progressive serial number and the date of adoption. Each decision and recommendation shall provide for the date of its entry into force.
4. The decisions and recommendations adopted by the Trade Committee shall be established in duplicate, authenticated by the co-chairs and transmitted one to each Party.

Rule 10

Transparency

1. The Trade Committee may meet in public, if the co-chairs agree.
2. Each Party may decide to publish the decisions and recommendations of the Trade Committee in its respective official publication or online.
3. For the submission of documents to the Trade Committee, Article 32.4(2) applies.

4. The coordinators shall make available to the public:
 - (a) the provisional agenda of a meeting of the Trade Committee before the meeting takes place; and
 - (b) the minutes of a meeting of the Trade Committee following their approval in accordance with Rule 8.
5. Publication of any documents pursuant to paragraphs 2 to 4 shall be without prejudice to each Party's applicable data protection or transparency rules.

Rule 11

Languages

1. The working language of the Trade Committee shall be English.
2. The Trade Committee shall adopt decisions concerning the amendment or interpretation of the Agreement pursuant to subparagraph (b) of Article 33.2(7) of the Agreement, in the languages of the authentic texts of the Agreement. All other decisions and recommendations of the Trade Committee shall be adopted in the working language.
3. Each Party shall be responsible for the translation of decisions and other documents into its own official language(s), where relevant, and shall meet expenditures associated with such translations.

Rule 12

Expenses

1. Each Party shall meet any expenses it incurs as a result of participating in the meetings of the Trade Committee, in particular staff, travel and subsistence expenses and video, postal or telecommunications expenses.
2. The Party hosting the meeting shall bear any expenses in connection with the organisation of meetings, the reproduction of documents and the provision of interpretation services to and from the working language of the Trade Committee.

Rule 13

Specialised Committees and other bodies

1. Pursuant to subparagraph (d) of Article 33.2(6) of the Agreement, the Trade Committee shall supervise, guide and coordinate the work of all specialised Committees and other bodies established or that may be established under the Agreement.
2. The Trade Committee shall be informed in writing of any contact points designated by specialised Committees or other bodies established under the Agreement. Any relevant correspondence, documents and communications between the contact points of each specialised Committee regarding the implementation of the Agreement shall be forwarded to the coordinators simultaneously.