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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	Draft DECISION OF THE EC/FAROE ISLANDS JOINT COMMITTEE adopting its Rules of Procedure

DRAFT

DECISION No …/2023 OF THE EC/FAROE ISLANDS JOINT COMMITTEE

of …

adopting its Rules of Procedure

THE EC/FAROE ISLANDS JOINT COMMITTEE,

Having regard to the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part[1], and in particular Article 31(3) thereof,

[1] OJ L 53, 22. 2.1997, p. 2.

Whereas:

(1) Article 31(1) of the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part ('the Agreement') establishes a Joint Committee which is to, inter alia, ensure the proper implementation of the Agreement.

(2) Article 31(3) of the Agreement provides that the Joint Committee is to adopt its own rules of procedure.

(3) The rules of procedure as set out in the Annex to this Decision should therefore be adopted in order to regulate the functioning of the Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

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

Article 2

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

Done at …,

For the Joint Committee
The President

ANNEX

Rules of procedure of the EC/Faroe Islands Joint Committee established pursuant to Article 31(1) of the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part

Article 1

Role and Name of the Joint Committee

1. The Committee established pursuant to Article 31(1) of the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part, (hereafter referred to as the 'Agreement') is responsible for all matters referred to in Article 31 of the Agreement.

2. The Committee referred to in paragraph 1 shall be referred to in documents of the Committee, including decisions and recommendations, as EC/Faroe Islands Joint Committee (hereafter referred to as the 'Joint Committee').

Article 2

Composition and Chairperson

1. Pursuant to Article 32 of the Agreement, the Joint Committee is composed of representatives of the European Union and the Government of the Faroe Islands at senior official level, or their designees.

2. Each Party shall in turn hold the chairpersonship of the Joint Committee. The Party holding the chairpersonship shall be represented by a senior official who shall be the chairperson of the Joint Committee. The chairperson is deemed to have the authorisation of representing the Party which holds the chairpersonship until the date on which that Party has notified a new chairperson to the other Party.

3. In the application of paragraph 2, the chairpersonship shall transfer from one Party to the other at the beginning of each calendar year and have a duration of one year. The first chairpersonship shall begin on the date of adoption of these Rules of Procedure and end on 31 December of the same year.

4. The Parties shall ensure that the Party which holds the chairpersonship of the Joint Committee is also the Party which organises the annual Joint Committee pursuant to Article 4(1) and (2) of these Rules of Procedure in the year of the chairpersonship.

Article 3

Secretariat

1. An official of the European Commission and of the Faroe Islands shall act together as Secretary of the Joint Committee.

2. Each Party shall notify to the other Party the name, position and contact details of the official who is the member of the Secretariat of the Joint Committee for that Party. This official is deemed to continue acting as member of the Secretariat for the Party until the date the Party has notified to the other Party a new member.

Article 4

Meetings

1. The Joint Committee shall meet once a year in order to review the general functioning of the Agreement, unless the chairperson and the representative of the other party to the Joint Committee provide otherwise. The Joint Committee shall, in addition, meet whenever special circumstances so require or in urgent cases at the request of either Party.

2. The meetings shall be held at an agreed date and time alternately in Brussels and in Tórshavn, unless the chairperson and the representative of the other party to the Joint Committee decide otherwise.

3. The meetings shall be convened by the chairperson.

4. A meeting may be held in person, by videoconference or by any other means.

Article 5

Delegations

Within a reasonable period of time in advance of a meeting, the official acting as Secretary of the Joint Committee for a Party shall inform the official acting as Secretary of the other Party of the intended composition of the delegations of the European Union and of the Faroe Islands respectively. The lists shall specify the name and function of each member of the delegation.

Article 6

Agenda for the meetings

1. At least 14 days in advance of a meeting, a provisional agenda for each meeting shall be drawn up by the Secretary of the Joint Committee on the basis of a proposal made by the Party hosting the meeting with a deadline for the other Party to provide comments.

2. The agenda shall be adopted by the Joint Committee at the beginning of each meeting. Items not appearing on the provisional agenda may be placed on the agenda by consensus.

Article 7

Invitation of experts

The Parties of the Joint Committee may, by mutual agreement, invite experts (i.e. non-government officials) to attend the meetings of the Joint Committee in order to provide information on specific subjects and only for the parts of the meeting where such specific subjects are discussed.

Article 8

Minutes

1. Draft minutes of each meeting shall be drawn up by the official acting as member of the Secretariat of the Party hosting the meeting, within 15 days from the end of the meeting, unless the chairperson and the representative of the other party to the Joint Committee decide otherwise. The draft minutes shall be transmitted for comments to the member of the Secretariat of the other Party.

2. Where these Rules of Procedure apply to the meetings of sub-committees, the minutes of the sub-committee's meeting shall be made available for any subsequent meetings of the Joint Committee.

3. The minutes shall, as a general rule, summarise each item on the agenda, specifying where applicable:

(a) all documents submitted to the Joint Committee;

(b) any statement that the representative of the Parties to the Joint Committee requested to be entered in the minutes; and

(c) the decisions taken, recommendations made, statements agreed upon and conclusions adopted on specific items.

4. The minutes shall include a list of all decisions of the Joint Committee taken by written procedure, pursuant to Article 9(2), since the last meeting of the Joint Committee.

5. An annex to the minutes shall also include a list of the names, titles and capacity of all individuals who attended the meeting of the Joint Committee.

6. The Secretary shall adjust the draft minutes on the basis of comments received and the draft minutes, as revised, shall be approved by the Parties within 30 days of the date of the meeting, or by any other date agreed by the Parties. Once approved, two originals of the minutes shall be established by the Secretariat, and the Parties shall each receive one original of the minutes.

Article 9

Decisions and recommendations

1. The Joint Committee may adopt decisions and recommendations in respect of all matters where the Agreement so provides. The Joint Committee shall adopt decisions and recommendations by consensus, as provided for in Articles 31(1) and 32(2) of the Agreement.

2. In the period between meetings, the Joint Committee may adopt decisions or recommendations by written procedure.

3. The text of a draft decision or recommendation shall be presented in writing by the member of the Secretariat of the proposing Party to the member of the Secretariat of the other Party in the working language of the Joint Committee. The other Party shall have one month, or any longer period of time specified by the proposing Party, to express its agreement with the draft decision or recommendation. If the other Party does not express its agreement, the proposed decision or recommendation shall be discussed and may be adopted at the next meeting of the Joint Committee. The draft decisions or recommendations shall be deemed to be adopted once the other Party expresses its agreement and shall be recorded in the minutes of the meeting of the Joint Committee pursuant to Article 8(3).

4. Where the Joint Committee is empowered under the Agreement to adopt decisions or recommendations, such acts shall be entitled ‘Decision’ or ‘Recommendation’ respectively. The Secretariat of the Joint Committee shall give any decision or recommendation a progressive serial number, the date of adoption and a description of their subject-matter. Each decision and recommendation shall provide for the date of its entry into force.

5. The decisions and recommendations adopted by the Joint Committee shall be established in duplicate, authenticated by the Parties and a version of them transmitted to each Party.

Article 10

Transparency

1. The Parties may agree to meet in public.

2. Each Party may decide on the publication of the decisions and recommendations of the Joint Committee in its respective official publication or online.

3. All documents submitted by a Party should be considered as confidential, unless the chairperson and the representative of the other party to the Joint Committee decide otherwise.

4. Provisional agendas of the meetings shall be made public before the meeting of the Joint Committee takes place. The minutes of the meetings shall be made public following their approval in accordance with Article 8.

5. Publication of the documents referred to in paragraphs 2 to 4 shall be made in compliance with each Party's applicable data protection rules.

Article 11

Languages

1. The working language of the Joint Committee shall be English.

2. The Joint Committee shall adopt decisions concerning the amendment or interpretation of the Agreement in the languages of the authentic texts of the Agreement. All other decisions of the Joint Committee, including the one through which these Rules of Procedure are adopted, shall be adopted in the working language referred to in paragraph 1.

3. Each Party shall be responsible for the translation of decisions and other documents into its own official language(s), if required pursuant to this Article, and it shall meet the expenditure associated with such translations.

Article 12

Expenses

1. Each Party shall meet any expenses it incurs as a result of participating in the meetings of the Joint Committee, in particular with regard to staff, travel and subsistence expenditure and with regard to video or teleconferences, postal and telecommunications expenditure.

2. Expenditure in connection with the organisation of meetings and reproduction of documents shall be borne by the Party hosting the meeting.

3. Expenditure in connection with the provision of interpretation services to and from the working language of the Joint Committee at meetings shall be borne by the Party hosting the meeting.

Article 13

Working parties

1. For the effective performance of its tasks, the Joint Committee may set up under its authority working parties responsible for dealing with specific subjects under the Agreement. To that end, the Joint Committee shall determine the composition and tasks of such working parties.

2. Pursuant to Article 33(3) of the Agreement, the Joint Committee shall supervise the work of all working parties established under the Agreement.

3. The Joint Committee shall be informed in writing of the contact points designated by working parties under the Agreement. All relevant correspondence, documents and communications between the contact points of each working party regarding the implementation of the Agreement shall be forwarded to the Secretariat of the Joint Committee simultaneously.

4. The working parties shall report to the Joint Committee on results and conclusions from each of their meetings.

5. These Rules of Procedure shall apply mutatis mutandis to the working parties established under the Agreement.

Article 14

Amendments to the Rules of Procedure

These Rules of Procedure may be amended in writing by a decision of the Joint Committee in accordance with Article 9.