Council of the European Union

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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	15 October 2019
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2019) 469 final - ANNEX
Subject:	ANNEX to the Proposal for a Council Decision on the position to be taken on behalf of the European Union in the Council for Trade in Goods of the World Trade Organisation as regards the rules of procedure of the Committee on Trade Facilitation

Delegations will find attached document COM(2019) 469 final - ANNEX.

Encl.: COM(2019) 469 final - ANNEX

EUROPEAN
COMMISSION

Brussels, 15.10.2019
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ANNEX

ANNEX

to the

Proposal for a Council Decision

on the position to be taken on behalf of the European Union in the Council for Trade in Goods of the World Trade Organisation as regards the rules of procedure of the Committee on Trade Facilitation

ANNEX

RULES OF PROCEDURE OF THE COMMITTEE ON TRADE FACILITATION[1]

The Rules of Procedure for meetings of the General Council (WT/L/161) be applied *mutatis mutandis* to meetings of the Committee on Trade Facilitation, except as follows:

Chapter I — Meetings

(a) Rule 1 (of the General Council) should be amended in line with paragraph 1.2 of Article 23 of the Agreement on Trade Facilitation to provide that:

"The Committee shall meet as needed and envisaged by the provisions of the Agreement on Trade Facilitation, but no less than once a year."

(b) The first sentence of Rule 2 should be amended to read as follows:

"Meetings of the Committee shall be convened by the Director-General by a notice issued preferably three weeks, and in any event not less than ten calendar days, prior to the date set for the meeting."

Chapter II — Agenda

(c) Rule 5 should not be applied.[2]

(d) Rule 11 should be modified to read as follows:

"Representatives of international intergovernmental organizations may attend the meetings as observers on the invitation of the Committee on Trade Facilitation in accordance with the guidelines in Annex 3 to the Rules of the General Council.

Furthermore, in accordance with Article 23:1:5 of the Agreement on Trade Facilitation, the Committee may invite representatives of other international organizations with competence in the field of trade facilitation or their subsidiary bodies to:

(a) attend meetings of the Committee; and

(b) discuss specific matters related to the implementation of this Agreement."

Chapter V — Officers

(e) Rules 12, 13 and 14 should be amended to authorize the Committee to elect a Vice-Chairperson. Accordingly, Rules 12, 13 and 14 should read as follows:

"Rule 12. The Committee shall elect a Chairperson[3] and may elect a Vice-Chairperson from among the representatives of Members. The election shall take place at the first meeting of the year and shall take effect at the end of the meeting. The Chairperson and Vice-Chairperson shall hold office until the end of the first meeting of the following year.

Rule 13. If the Chairperson is absent from any meeting or part thereof, the Vice-Chairperson shall perform the functions of the Chairperson. If no Vice-Chairperson

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1 Based on the Communication from Argentina, Japan, Norway and Paraguay (G/TFA/W/14).

2 Sufficient preparation and circulation of the agenda is secured by the GC Rules of Procedure through Rules 2, 3 and 6.

3 The Committee shall apply the relevant guidelines contained in the "Guidelines for Appointment of Officers to WTO Bodies" (WT/L/31, dated 7 February 1995).

was elected or if the Vice-Chairperson is not present, the Committee shall elect an interim Chairperson for that meeting or that part of the meeting.

Rule 14. If the Chairperson can no longer perform the functions of the office, the Committee shall designate the Vice-Chairperson referred to in Rule 12 or, if no Vice-Chairperson was elected it shall elect an interim Chairperson to perform those functions pending the election of a new Chairperson."

Chapter VI — Conduct of business

(f) The first sentence of Rule 24 should be amended to read as follows:

"In order to expedite the conduct of business, the Chairperson may invite representatives that wish to express their support for a given proposal to show their hands, in order to be duly recorded in the records as supporting statements …."

Chapter VII — Decision-Making

(g) Rule 33 should be amended to read as follows:

"Where a decision cannot be arrived at by consensus, the matter at issue shall be referred to the Council for Trade in Goods."

(h) Rule 34 should not apply.