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| From: | Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director |
| date of receipt: | 27 November 2020 |
| To: | Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union |
| No. Cion doc.: | COM(2020) 763 final |
| Subject: | ANNEX to the Proposal for a Council Decison on the position to be taken by European Union within the Joint Committee established by the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova |

Delegations will find attached document COM(2020) 763 final.

Encl.: COM(2020) 763 final

EUROPEAN
COMMISSION

Brussels, 27.11.2020
COM(2020) 763 final

ANNEX

**ANNEX**

**to the**

**Proposal for a Council Decison**

**on the position to be taken by European Union within the Joint Committee established by the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova**

**DECISION No 1/ [year] OF THE EU-MOLDOVA JOINT COMMITTEE ESTABLISHED BY THE COMMON AVIATION AREA AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES AND THE REPUBLIC OF MOLDOVA**

**of …**

**adopting its rules of procedure**

THE EU-MOLDOVA JOINT COMMITTEE,

Having regard to the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova ('the Agreement'), and in particular Article 22, paragraph 3, thereof,

HAS DECIDED AS FOLLOWS:

*Sole Article*

The rules of procedure of the Joint Committee annexed to this Decision are hereby adopted.

Done at …,

For the Joint Committee,

*The Head of the European Union Delegation*

[name]

*The Head of the Republic of Moldova Delegation*

[name]

**Annex**

**Rules of Procedure of the Joint Committee**

***Article 1***

**Heads of delegation**

1. As provided for in Article 22, paragraph1, of the Agreement, the Joint Committee shall be composed of representatives of the Parties.

2. The Joint Committee shall be chaired jointly by the Heads of Delegation of the Parties.

***Article 2***

**Meetings**

1. Pursuant to Article 22, paragraph 4, of the Agreement, the Joint Committee shall meet as and when necessary. Either Party may request the convening of a meeting.

2. The Joint Committee shall hold meetings face-to-face, or, exceptionally, via other means (e.g. conference calls or video conferences).

3. Meetings shall take place, as much as possible, in an alternated way between a place in a European Union Member State and the Republic of Moldova, unless agreed otherwise by the Parties.

4. The working language shall be English.

5. Once the date and the place of the meetings have been agreed between the Parties, meetings shall be convened by the European Commission for the European Union and its Member States and by the Ministry in charge of air transport for the Republic of Moldova.

6. Except as otherwise agreed by the Parties, the meetings of the Joint Committee shall not be public. If necessary, a press release may be drafted by mutual agreement at the end of the meeting.

***Article 3***

**Delegations**

1. Prior to each meeting, the Heads of Delegation shall inform each other of the intended composition of their delegations for the meeting.

2. Air transport industry stakeholder representatives may be invited to attend meetings as observers, if the Joint Committee so agrees.

3. The Joint Committee may invite, if so agreed, other interested parties or experts to attend its meetings in order to provide information on particular subjects.

***Article 4***

**Secretariat**

An official of the European Commission and an official of the Ministry in charge of air transport of the Republic of Moldova shall act jointly as secretaries of the Joint Committee.

*Article 5*

**Agenda of the meetings**

1. The Heads of Delegation shall establish the provisional agenda of each meeting by mutual agreement. This provisional agenda shall be transmitted by the secretaries to the members of the delegations at the latest fifteen days before the date of the meeting.

2. The agenda shall be adopted by the Joint Committee at the beginning of each meeting. Items other than those appearing on the provisional agenda may be included in the agenda if the Joint Committee so agrees.

3. The Heads of Delegation may shorten the time limit specified in paragraph 1 of this Article in order to take account of the requirements or urgency of a particular matter.

*Article 6*

**Minutes**

1. Draft Minutes of each Joint Committee meeting shall be drawn up after each meeting. They shall indicate the items discussed and any recommendations made and decisions adopted.

2. Within one month following the meeting, the draft Minutes shall be submitted by the hosting Head of Delegation to the other Head of Delegation, via the Joint Committee secretaries, for approval by written procedure.

3. When approved, the Minutes shall be signed in duplicate by the Heads of Delegation and one original copy shall be filed by each of the Parties. The Heads of Delegation may decide that signing and exchanging electronic copies satisfies this requirement.

4. The Minutes of the Joint Committee meetings shall not be public unless otherwise requested by one of the Parties.

*Article 7*

**Written procedure**

Where necessary and duly motivated, decisions and recommendations of the Joint Committee may be adopted through written procedure. To that end, the Heads of Delegation shall exchange the draft measures on which the opinion of the Joint Committee is requested, which may then be confirmed by exchange of correspondence. Any Party may however request that the Joint Committee be convened to discuss the matter.

*Article 8*

**Deliberations**

1. The Joint Committee shall make its recommendations and take decisions on the basis of consensus.

2. The decisions and recommendations of the Joint Committee shall be entitled respectively "Decision" and "Recommendation" and followed by a serial number, by the date of their adoption and by a description of their subject.

3. The decisions and recommendations of the Joint Committee shall be signed by the Heads of Delegation and attached to the Minutes.

4. The decisions adopted by the Joint Committee shall be implemented by the Parties in accordance with their own internal procedures.

5. The decisions adopted by the Joint Committee may be published by the Parties in their respective official publications. Each Party may decide on the publication of any other act adopted by the Joint Committee. One original copy of the decisions and recommendations shall be filed by each of the Parties.

*Article 9*

**Working Groups**

1. The Joint Committee may set up working groups to assist the Joint Committee in carrying out its duties. Terms of reference for a working group shall be approved by the Joint Committee and be included in an Annex to the decision setting up the working group.

2. The working groups shall be composed of representatives of the Parties.

3. The working groups shall work under the authority of the Joint Committee to which they shall report after each of their meetings. They shall not take decisions but may make recommendations to the Joint Committee.

4. The Joint Committee may at any time decide to abolish existing working groups, modify their terms of reference or establish new working groups to assist it in carrying out its duties.

*Article 10*

**Expenses**

1. The Parties shall each defray the expenses related to their participation in the meetings of the Joint Committee and of working groups, both in respect of staff, travelling and subsistence expenditure and of postal and telecommunications costs.

2. Any other expenditure relating to the material organisation of meetings shall be borne by the Party hosting the meeting.

*Article11*

**Amendments of the Rules of Procedure**

The Joint Committee may, at any time, amend these Rules of Procedure, by a decision taken in accordance with Article 22 of the Agreement.