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Subject:	Draft DECISION OF THE EU-CHINA JOINT COMMITTEE ESTABLISHED BY THE AGREEMENT ON CIVIL AVIATION SAFETY BETWEEN THE EUROPEAN UNION AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA adopting its rules of procedure

DRAFT

DECISION No 1/ … OF THE EU-CHINA JOINT COMMITTEE ESTABLISHED BY THE AGREEMENT ON CIVIL AVIATION SAFETY BETWEEN THE EUROPEAN UNION AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA

of …

adopting its rules of procedure

THE EU-CHINA JOINT COMMITTEE,

Having regard to the Agreement on civil aviation safety between the European Union and the Government of the People's Republic of China[1] ('the Agreement'), and in particular Article 11(3) thereof,

HAS ADOPTED THIS DECISION:

[1] OJ L 240, 24.7.2020, p. 4.

Article 1

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

Article 2

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

Done at …,

For the European Union

For the Government of the People's Republic of China

ANNEX

JOINT COMMITTEE OF THE PARTIES
TO THE AGREEMENT ON CIVIL AVIATION SAFETY BETWEEN
THE EUROPEAN UNION AND
THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA

Rules of Procedure

Article 1

Definitions

For the purposes of these rules of procedure, the term:

– "Party" means the European Union or the Government of the People's Republic of China;

– "Parties" means the European Union and the Government of the People's Republic of China.

Article 2

Chair and Composition

1. The Joint Committee shall be chaired jointly by a representative of the European Union and by a representative of the Government of the People's Republic of China.

2. The European Union is represented in the Joint Committee by the European Commission, assisted by the European Union Aviation Safety Agency and accompanied by the aviation authorities of the European Union Member States.

3 The Government of the People's Republic of China is represented in the Joint Committee by the Civil Aviation Administration of China.

Article 3

Meetings

1. The Joint Committee shall meet at regular intervals, if possible once a year. Either Party may request the convening of a meeting.

2. Meeting locations shall alternate, as much as possible, between Brussels and Beijing. As an alternative, discussions via videoconference could be organised. Decisions and recommendations adopted during videoconferences shall have the same legal value as those adopted in physical meetings. Once the date and the place of a meeting have been agreed between the Parties, the meeting shall be convened by the European Commission for the European Union and by the Civil Aviation Administration of China for the Government of the People's Republic of China.

3. Except as otherwise agreed by the chairpersons, the meetings of the Joint Committee shall not be open to public participation. A press release may, by mutual agreement of the chairpersons, be issued after the meetings.

4. Meetings and documents shall be in English. Costs of interpretation or translation into another language shall be borne by the Party requesting it.

Article 4

Delegations

1. Prior to each meeting, the Parties shall inform each other of the intended composition of their respective delegations, nominating their respective chairperson.

2. The chairpersons may, on an ad-hoc basis, agree to invite third parties to attend meetings of the Joint Committee in order to provide information on particular subjects or as observers.

Article 5

Secretariat

An official of the European Commission and an official of the Civil Aviation Administration of China shall act jointly as secretaries of the Joint Committee.

Article 6

Agenda of the Meetings

1. The chairpersons shall establish the provisional agenda of each meeting by mutual agreement. This provisional agenda and any relevant meeting documents shall be transmitted by the secretaries to the participants at the latest fifteen working 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 Parties so agree.

3. The chairpersons may modify, by agreement, the time limit for transmitting documents, referred to in paragraph 1, including the provisional agenda, in order to take into account the requirements of a Party's internal procedures or the urgency of a particular matter.

Article 7

Minutes

1. Draft minutes of each Joint Committee meeting shall be drawn up after the meeting. They shall indicate the decisions and recommendations adopted and the conclusions made.

2. The minutes shall be adopted by the Joint Committee at its next meeting.

3. When approved, the minutes shall be signed by the chairpersons, and one original or scanned copy shall be filed by each Party.

Article 8

Written Procedure

Where necessary and justified, recommendations and decisions of the Joint Committee may be adopted through written procedure. To that end, the chairpersons shall exchange the draft measures on which the opinion of the Joint Committee is sought, 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 9

Deliberations

1. The Joint Committee shall adopt its decisions and recommendations by consensus between the Parties.

2. The decisions and recommendations of the Joint Committee shall be entitled respectively "Decision" and "Recommendation" and shall be 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 chairpersons.

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. Recommendations or any other act adopted by the Joint Committee may be published if the Parties so agree. One original or scanned copy of the decisions and recommendations shall be retained by each Party.

Article 10

Working Groups

1. The Joint Committee may establish and oversee technical working groups to assist the Joint Committee in carrying out its tasks. The terms of reference for a working group shall be included as an attachment to the decision setting up the working group. The terms of reference may comprise, inter alia, the composition of 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 an existing working group, modify its terms of reference, or establish new working groups to assist it in carrying out its tasks.

Article 11

Expenses

The Parties shall be responsible for paying their own expenses incurred by reason of their participation in the meetings of the Joint Committee and of working groups, including staff, travelling and subsistence expenditures and postal and telecommunications costs.

Expenditure relating to the material organisation of meetings shall be borne by the Party hosting the meeting.