



Council of the
European Union

Brussels, 19 January 2024
(OR. en)

5361/24

**Interinstitutional File:
2024/0002(NLE)**

**POLCOM 14
WTO 7
FDI 5**

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 2)/Council

No. Cion doc.: 5353/24

Subject: COUNCIL DECISION establishing the position to be taken on behalf of the European Union in the World Trade Organization's 13th Ministerial Conference as regards the incorporation of the Agreement on Investment Facilitation for Development into the Agreement establishing the World Trade Organization
- Adoption

1. On 10 January 2024, at the meeting of the Trade Policy Committee (Experts - Services and Investment), the Commission recalled that the negotiations at the WTO for the Investment Facilitation for Development Agreement (IFD Agreement) had been successfully completed on 6 July 2023.
2. The WTO's 13th Ministerial Conference of 26-29 February 2024 may decide to add the IFD Agreement to the WTO Agreement. Hence the Council needs to adopt a position in accordance with Article 218(9) of the Treaty on the Functioning of the EU (TFEU).

3. On 11 January 2024, the Commission transmitted to the General Secretariat of the Council its Proposal for a Council Decision establishing the position to be taken on behalf of the EU in the World Trade Organisation's 13th Ministerial Conference as regards adding the IFD Agreement into the Agreement establishing the World Trade Organisation (WTO)¹.
4. On 17 January 2024 the Trade Policy Committee (Experts - Services and Investment) endorsed, by written consultation, the Commission proposal, subject to legal-linguistic review.
5. In the light of the above, and subject to confirmation by the Permanent Representatives Committee, the Council is invited to:
 - adopt the Council Decision as finalised by the legal-linguistic experts and set out in document 5362/23; and
 - note that the European Parliament will be informed in accordance with Article 218(10) TFEU, and that the Council Decision will be transmitted to the Parliament.

¹ ST 5353/24