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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	Draft DECISION OF THE EU-COLOMBIA-PERU-ECUADOR TRADE COMMITTEE amending Appendix 1 of Annex XII (Government Procurement) to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part

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DECISION No 1/2021
OF THE EU-COLOMBIA-PERU-ECUADOR TRADE COMMITTEE

of XX 2021

amending Appendix 1 of Annex XII (Government Procurement) to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part

THE TRADE COMMITTEE,

Having regard to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part, and in particular Article 191 thereof,

Whereas:

(1) Article 191 of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part ('the Trade Agreement'), lays down the procedures whereby a Party may modify or rectify its coverage of procurement under Title VI of the Trade Agreement.

(2) Subsection 1 on Central government entities of Section A of Appendix 1 of Annex XII to the Trade Agreement specifies the central government entities of Colombia whose procurement is covered under Title VI.

(3) At the meeting of the Sub-committee on Government Procurement of 17 October 2019, held in Bogotá, Colombia informed the Union of its intention to update the list of procuring entities at central level by adding six agencies created after 2011, which belong to the executive level. At the time of the conclusion of the negotiations for the Trade Agreement between the Union and Colombia in 2010, competences currently carried out by such agencies were exercised by procuring entities at ministerial level. Those agencies do not currently appear in the list of procuring entities at central level in Colombia's coverage.

(4) The Union and Colombia agree that the list of procuring entities at central level of Colombia should be updated by adding those six agencies as set out in this Decision.

(5) It is therefore necessary to modify Subsection 1 of Section A of Appendix 1 of Annex XII to the Trade Agreement. The Union and Colombia agree that such update should not require compensatory adjustments, as it is a minor amendment under Article 191(2) of the Trade Agreement.

(6) The decision to amend Subsection 1 of Section A of Appendix 1 of Annex XII to the Trade Agreement can be adopted within the Trade Committee established by the Trade Agreement by the Union and Colombia, as the signatory Andean Country concerned, pursuant to Article 14(3) of the Trade Agreement, in conjunction with Article 12(4), as it relates exclusively to the bilateral relationship between them,

HAS ADOPTED THIS DECISION:

Article 1

In Subsection 1 of Section A of Appendix 1 of Annex XII (Government Procurement) to the Trade Agreement, the following heading and six agencies are added to the list of procuring entities at central level:

'Executive Branch Agencies

29. Agencia Nacional de Minería

30. Agencia Nacional de Infraestructura

31. Agencia Nacional de Seguridad Vial

32. Agencia Nacional del Espectro

33. Agencia Presidencial de Cooperación Internacional de Colombia

34. Agencia de Desarrollo Rural'.

Article 2

The amendment provided for in Article 1 shall not entail any compensatory adjustments.

Article 3

This Decision shall enter into force on […].

This Decision shall be drawn up in the official languages of the Parties to the Trade Agreement, each of these texts being equally authentic.

Done at […]

For the Trade Committee