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:	22 February 2019
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2019) 105 final - ANNEX
Subject:	ANNEX to the Proposal for a Council Decision on the position to be adopted, on behalf of the European Union in the Joint Committee established by the Strategic Partnership Agreement between the European Union and its Member States, of the one part, and Japan, of the other part, regarding the adoption of its Rules of Procedure

Delegations will find attached document COM(2019) 105 final - ANNEX.

Encl.: COM(2019) 105 final - ANNEX

EUROPEAN
COMMISSION

Brussels, 22.2.2019
COM(2019) 105 final

ANNEX

ANNEX

to the

Proposal for a Council Decision

on the position to be adopted, on behalf of the European Union in the Joint Committee established by the Strategic Partnership Agreement between the European Union and its Member States, of the one part, and Japan, of the other part, regarding the adoption of its Rules of Procedure

ANNEX

DECISION No 1/2019
OF THE JOINT COMMITTEE ESTABLISHED BY THE
EU-JAPAN STRATEGIC PARTNERSHIP AGREEMENT

of …

adopting its rules of procedure

THE JOINT COMMITTEE,

Having regard to the Strategic Partnership Agreement between the European Union and its Member States, of the one part, and Japan, of the other part[1] ('the Agreement'), and in particular Article 42 thereof,

Whereas:

(1) Parts of the Agreement have been applied pending entry into force since 1 February 2019.

(2) In order to ensure the effective application pending entry into force of the Agreement, the Joint Committee should be established as soon as possible,

(3) Pursuant to Article 42 paragraph 5 of the Agreement, the Joint Committee should therefore adopt its rules of procedure,

HAS ADOPTED THIS DECISION:

1. The rules of procedure of the Joint Committee, as set out in the Annex, are hereby adopted.

2. The Decision will enter into effect on the date of its adoption.

Signed at…,

For the Joint Committee
The Co-Chairs

[1] OJ EU L xxx, xx.xx.xxxx, p. x.

Annex to Decision No 1/2019

Strategic Partnership Agreement between the European Union and its Member States, of the one part, and Japan, of the other part

Rules of Procedure of the Joint Committee

Article 1

Tasks and composition

1. The Joint Committee will perform the tasks provided for in Article 42 of the Strategic Partnership Agreement between the European Union and its Member States, hereinafter referred to as 'the Union Party', of the one part, and Japan, of the other part ('the Agreement').

2. The Joint Committee will be composed of representatives of the Parties.

Article 2

Chair

The Joint Committee will be co-chaired by the representatives of the Union Party of the one part, and Japan, of the other part. Hereinafter referred to collectively as the "Parties" and individually as the "Party".

Article 3

Meetings

1. The Joint Committee will normally meet once a year in Tokyo and Brussels alternately, on a date fixed by consensus. It will also meet at the request of either Party by consensus.

2. The Joint Committee will normally meet at the level of senior official, unless otherwise decided by the Parties.

Article 4

Publicity

Unless otherwise decided by the Parties, meetings of the Joint Committee will not be public.

Article 5

Secretaries

A representative of the European External Action Service and a representative of the Ministry of Foreign Affairs of Japan will act jointly as Secretaries of the Joint Committee. All communications to and from the Co-Chairs of the Joint Committee will be forwarded to the Secretaries.

Article 6

Participants

1. Before each meeting, the Co-Chairs will be informed, through the Secretaries, of the intended composition of the delegation of each Party.

2. Where appropriate and by consensus, experts or representatives of relevant entities may be invited to attend Joint Committee meetings as observers or in order to provide information on a particular subject.

Article 7

Agendas for meetings

1. The Co-Chairs will draw up a provisional agenda for each meeting.

2. The Provisional Agenda will be set no later than fifteen days before the beginning of the meeting.

3. The final agenda will be adopted by the Joint Committee at the beginning of each meeting. Items other than those on the provisional agenda may be placed on the agenda if the Parties so decide.

4. The Co-Chairs may decide to shorten the time limits referred to in paragraph 2 where required.

Article 8

Minutes

1. The Secretaries will jointly produce minutes of each meeting, as soon as possible but not later than two months from the end of each meeting, unless otherwise decided by consensus. The draft minutes will include, as a general rule, the final agenda and a summary of the discussions under each agenda item.

2. The draft minutes will be approved in writing by the Parties as soon as possible but no later than two months after the end of each meeting unless otherwise decided by consensus.

Article 9

Decisions and recommendations

1. Within its functions and tasks pursuant to Article 42 of the Agreement, the Joint Committee will make recommendations and adopt decisions, where appropriate. These will be entitled 'Recommendation' or 'Decision', followed by a serial number, the date of their adoption and a description of the subject matter. Each recommendation or decision will state the date of its entry into effect.
2. The Joint Committee makes recommendations and adopts decisions by consensus.
3. The Joint Committee may decide to make recommendations and adopt decisions by means of a written procedure through an exchange of notes between the Co-Chairs of the Joint Committee.
4. Recommendations and Decisions of the Joint Committee will be adopted in writing by the Co-Chairs.
5. Each Party may decide to publish the Joint Committee's recommendations and decisions in any appropriate medium.

Article 10

Expenses

1. Each Party will meet any expenses it incurs as a result of participating in the meetings of the Joint Committee with regard to staff, travel, and subsistence expenditure as well as postal and telecommunications expenditure**.**
2. Expenditure in connection with the organisation of meetings and the reproduction of documents will be borne by the Party hosting the meeting**.**

Article 11

Working Groups

1. The Joint Committee may decide to set up Working Groups to assist it in carrying out its tasks.
2. The Joint Committee may decide to abolish any Working Group that it has established or to determine or modify its terms of reference.
3. The Working Groups will report to the Joint Committee after each of their meetings.

Article 12

Modification of the rules of procedure

The Parties may modify the rules of procedure in line with Article 9.