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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	3 March 2023
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2023) 107 final
Subject:	ANNEX to the Proposal for a COUNCIL DECISION on the position to be taken on behalf of the European Union in the Cooperation Council established by the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part, in connection with the envisaged adoption of a decision concerning the establishment of a Sub-Committee on Development Cooperation

Delegations will find attached document COM(2023) 107 final - ANNEX.

Encl.: COM(2023) 107 final - ANNEX

EUROPEAN
COMMISSION

Brussels, 3.3.2023
COM(2023) 107 final

ANNEX

ANNEX

to the

Proposal for a COUNCIL DECISION

on the position to be taken on behalf of the European Union in the Cooperation Council established by the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part, in connection with the envisaged adoption of a decision concerning the establishment of a Sub-Committee on Development Cooperation

ANNEX

Decision No 3/2022 of the EU-Iraq Cooperation Council on the establishment of a specialised Sub-Committee on Development Cooperation and the adoption of its terms of reference

THE EU-IRAQ COOPERATION COUNCIL,

Having regard to the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part, and in particular Article 112 thereof,

Whereas:

(1) The Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part, (hereinafter referred to as "the Agreement"), was signed on 11 May 2012, and entered into force on 1 August 2018.

(2) Article 112 of the Agreement provides that the Cooperation Council is to be assisted in the performance of its duties by a Cooperation Committee and that it may decide to set up any other specialised sub-committees or bodies that can assist it in carrying out its duties, and is to determine the composition and duties of such sub-committees or bodies and how they function.

(3) In accordance with Article 10(1) of Annex I of the Cooperation Council's Rules of Procedure, the Cooperation Council may take decisions by written procedure.

(4) The establishment of a new specialised Sub-Committee on Development Cooperation would facilitate a dedicated dialogue on all aspects of EU-Iraq development cooperation and promote the effective implementation of EU development cooperation programmes in Iraq.

(5) In order for this Sub-Committee to become operational in a timely manner, it is necessary to adopt this decision by written procedure,

HAS ADOPTED THIS DECISION:

Sole Article

The Sub-Committee on Development Cooperation is hereby established.

Its terms of reference as set out in Annex I are hereby adopted.

Done at […],

For the EU-Iraq Cooperation Council
The Chair

ANNEX I

Terms of reference of the Sub-Committee on Development Cooperation, under the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part

Article 1

At its meetings, the Sub-Committee on Development Cooperation may discuss the implementation of the Partnership and Cooperation Agreement in any or all of the areas it covers relating to development cooperation.

The Sub-Committee on Development Cooperation may also discuss subjects or specific projects related to the relevant areas of bilateral cooperation.

Article 2

The Sub-Committee on Development Cooperation shall work under the authority of the Cooperation Committee. It shall report and transmit its conclusions to the Cooperation Committee after each meeting.

Article 3

The Sub-Committee on Development Cooperation shall be composed of representatives of the Parties.

Upon agreement of the Parties, the Sub-Committee on Development Cooperation may invite experts to its meetings, and may hear them regarding specific points on the agenda of its meetings as appropriate.

Article 4

The Sub-Committee on Development Cooperation shall be chaired by the Parties alternately, according to the rules on alternate presidency of the Cooperation Committee, by a representative of the European Union, on the one hand, and by a representative of the Iraq, on the other hand.

Article 5

A representative of the European Union and a representative of Iraq shall act jointly as permanent secretaries to the Sub-Committee on Development Cooperation. All communications concerning the Sub-Committee on Development Cooperation shall be forwarded to the two permanent secretaries.

Article 6

The Sub-Committee on Development Cooperation shall meet whenever circumstances require upon agreement of the Parties, on the basis of a written request from either Party, and at least once a year. Each meeting of the Sub-Committee on Development Cooperation shall be held at a place determined by the Parties and at a time agreed by them.

Upon receipt of a request by one of the Parties for a meeting, the permanent secretary of the other Party shall reply within 15 working days.

In case of particular urgency, meetings of the Sub-Committee on Development Cooperation may be convened at shorter notice, subject to the agreement of the Parties.

Before each meeting, the chair of the Sub-Committee on Development Cooperation shall be informed of the intended composition of the delegation of the Parties.

Meetings of the Sub-Committee on Development Cooperation shall be jointly convened by the two permanent secretaries, acting in agreement with the secretaries of the Cooperation Committee.

Article 7

Items for inclusion on the agenda shall be submitted to the permanent secretaries a minimum of 15 working days in advance of the meeting of the Sub-Committee on Development Cooperation. Any supporting documentation shall be provided to the permanent secretaries a minimum of 10 working days in advance.
Based on these items, a provisional agenda shall be drawn up and forwarded, with available supporting documentation, to the secretaries of the Cooperation Committee, no later than five working days before the meeting of the Sub-Committee on Development Cooperation. In exceptional circumstances, with the written agreement of both permanent secretaries, items may be added to the agenda at short notice.

Article 8

Unless otherwise decided, meetings of the Sub-Committee on Development Cooperation shall not be public.

Article 9

Minutes shall be taken for each meeting of the Sub-Committee on Development Cooperation. A copy of the minutes and conclusions of each meeting shall be transmitted to the secretaries of the Cooperation Committee.