



Council of the
European Union

Brussels, 12 October 2018
(OR. en)

7980/18
COR 1

**Interinstitutional File:
2018/0096 (NLE)**

WTO 84
SERVICES 33
FDI 20
COASI 101

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Investment Protection Agreement between the European Union and its
Member States, of the one part, and the Republic of Singapore,
of the other part

Page EU/SG/en 50 is replaced by the attached page.

3. If, within 15 days of the date of the notice of challenge, the challenged Member has elected not to resign from that division, the President of the Tribunal or the President of the Appeal Tribunal, respectively, shall, after hearing the disputing parties and after providing the Member an opportunity to submit any observations, issue a decision within 45 days of receipt of the notice of challenge and notify the disputing parties and other Members of the division without delay.
4. Challenges against the appointment to a division of the President of the Tribunal shall be decided by the President of the Appeal Tribunal and vice-versa.
5. Upon a reasoned recommendation from the President of the Appeal Tribunal, the Parties, by decision of the Committee, may decide to remove a Member from the Tribunal or from the Appeal Tribunal, where his or her behaviour is inconsistent with the obligations set out in paragraph 1 and is incompatible with his or her continued membership of the Tribunal or Appeal Tribunal. If the behaviour in question is alleged to be that of the President of the Appeal Tribunal then the President of the Tribunal of First Instance shall submit the reasoned recommendation. Articles 3.9(5) (Tribunal of First Instance) and 3.10(5) (Appeal Tribunal) shall apply *mutatis mutandis* for filling vacancies that may arise pursuant to this paragraph.