Council Decision (EU) 2019/1908 of 8 November 2019 on the position to be taken, on behalf of the European Union, in the Council for Trade in Goods of the World Trade Organization as regards the rules of procedure of the Committee on Trade Facilitation

COUNCIL DECISION (EU) 2019/1908

of 8 November 2019

on the position to be taken, on behalf of the European Union, in the Council for Trade in Goods of the World Trade Organization as regards the rules of procedure of the Committee on Trade Facilitation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular first subparagraph of Article 207(4) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Agreement on Trade Facilitation[(1)] ('the Agreement') was concluded by the Union on the basis of Council Decision (EU) 2015/1947[(2)] and entered into force on 22 February 2017.

(2) Pursuant to Article 23.1.2 of the Agreement, the Committee on Trade Facilitation is to establish its own rules of procedure.

(3) Pursuant to Article IV.6 of the Marrakesh Agreement Establishing the World Trade Organization, the rules of procedure of the Committee on Trade Facilitation are subject to the approval of the Council for Trade in Goods.

(4) It is appropriate to establish the position to be taken, on behalf of the Union, in the Council for Trade in Goods, as the envisaged decision will be binding on the Union.

(5) It is appropriate to agree with the proposed rules of procedure, which will enable the Committee on Trade Facilitation to operate efficiently. They are based on the Rules of Procedure of the General Council of the World Trade Organization with adjustments to meet the specific needs of the Committee on Trade Facilitation,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken, on behalf of the Union, within the meeting of the Council for Trade in Goods, as regards the adoption of the rules of procedure of the Committee on Trade Facilitation, shall be to support the adoption of those rules, as set out in the Annex.

Article 2

This Decision shall enter into force on the date of its adoption.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2019/1908. (See end of Document for details)*

Done at Brussels, 8 November 2019.

For the Council

The President

M. LINTILÄ

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (EU) 2019/1908. (See end of Document for details)*

ANNEX

RULES OF PROCEDURE OF THE COMMITTEE ON TRADE FACILITATION[(3)]

The Rules of Procedure for meetings of the General Council (WT/L/161) be applied *mutatis mutandis* to meetings of the Committee on Trade Facilitation, except as follows:

Chapter I — Meetings

(a) Rule 1 (of the General Council) should be amended in line with paragraph 1.2 of Article 23 of the Agreement on Trade Facilitation to provide that:

> The Committee shall meet as needed and envisaged by the provisions of the Agreement on Trade Facilitation, but no less than once a year.

(b) The first sentence of Rule 2 should be amended to read as follows:

> Meetings of the Committee shall be convened by the Director-General by a notice issued preferably three weeks, and in any event not less than ten calendar days, prior to the date set for the meeting.

Chapter II — Agenda

(c) Rule 5 should not be applied[(4)].

(d) Rule 11 should be modified to read as follows:

> Representatives of international intergovernmental organizations may attend the meetings as observers on the invitation of the Committee on Trade Facilitation in accordance with the guidelines in Annex 3 to the Rules of the General Council.
>
> Furthermore, in accordance with Article 23:1:5 of the Agreement on Trade Facilitation, the Committee may invite representatives of other international organizations with competence in the field of trade facilitation or their subsidiary bodies to:
>
> (a) attend meetings of the Committee; and
>
> (b) discuss specific matters related to the implementation of this Agreement.

Chapter V — Officers

(e) Rules 12, 13 and 14 should be amended to authorise the Committee to elect a Vice-Chairperson. Accordingly, Rules 12, 13 and 14 should read as follows:

> Rule 12. The Committee shall elect a Chairperson[(5)] and may elect a Vice-Chairperson from among the representatives of Members. The election shall take place at the first meeting of the year and shall take effect at the end of the meeting. The Chairperson and Vice-Chairperson shall hold office until the end of the first meeting of the following year.
>
> Rule 13. If the Chairperson is absent from any meeting or part thereof, the Vice-Chairperson shall perform the functions of the Chairperson. If no Vice-Chairperson