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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	14 October 2019
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2019) 462 final - ANNEX
Subject:	ANNEXES 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 Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, as regards the adoption of decisions on the rules of procedure of the Joint Committee and the rules of procedure of the Subcommittee on Trade and Investment

Delegations will find attached document COM(2019) 462 final - ANNEX.

Encl.: COM(2019) 462 final - ANNEX



EUROPEAN
COMMISSION

Brussels, 14.10.2019
COM(2019) 462 final

ANNEXES 1 to 2

ANNEXES

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 Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, as regards the adoption of decisions on the rules of procedure of the Joint Committee and the rules of procedure of the Subcommittee on Trade and Investment

ANNEX I

Decision No 1/ of the Joint Committee established by the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part ('the EU-Mongolia Joint Committee')

of....

adopting its Rules of Procedure

THE EU-MONGOLIA JOINT COMMITTEE,

Having regard to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part ('the Agreement'), and in particular Article 56 thereof,

Whereas:

- (1) The Agreement entered into force on 1 November 2017.
- (2) Pursuant to Article 56(6), the EU-Mongolia Joint Committee is to adopt its own rules of procedure.

HAS DECIDED AS FOLLOWS:

Sole Article

The Rules of Procedure of the EU-Mongolia Joint Committee, as set out in the Annex, are hereby adopted.

This Decision enters into force on the date of its adoption.

Done at Brussels/Ulaanbaatar,

For the EU-Mongolia Joint Committee

The Chair

ANNEX

RULES OF PROCEDURE OF THE EU-MONGOLIA JOINT COMMITTEE

Article 1

Composition and chair

1. The Joint Committee established in accordance with Article 56 of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part ('the EU-Mongolia Joint Committee') shall perform the tasks provided for in Article 56 of the Agreement.
2. The EU-Mongolia Joint Committee shall be composed of representatives of the Parties as defined by the Agreement at the highest possible level.
3. The EU-Mongolia Joint Committee shall be chaired alternately by the Minister of Foreign Affairs of Mongolia and the High Representative of the Union for Foreign Affairs and Security Policy, for a period of one calendar year. The Chairs may delegate their authority to preside over all or part of the meetings of the EU-Mongolia Joint Committee to a senior official.

Article 2

Meetings

1. The EU-Mongolia Joint Committee shall normally meet once a year, unless otherwise agreed by the Parties. Meetings of the EU-Mongolia Joint Committee shall be convened by the Chair. Meetings shall be held alternately in Brussels and Ulaanbaatar, on a date fixed by mutual agreement. Extraordinary meetings of the EU-Mongolia Joint Committee may be held at the request of either Party, if the Parties so agree.
2. By way of exception and if the Parties agree, the meetings of the EU-Mongolia Joint Committee may also be held through technical means, for example by means of video-conference.

Article 3

Delegations

1. Each Party shall inform the Chair of the intended composition of its delegation, before each meeting of the EU-Mongolia Joint Committee.
2. The Chair, in agreement with the Parties, may invite experts or representatives of other bodies to the meeting to act as observers or to provide information on a particular subject. The Parties shall agree on the terms and conditions under which those experts or representatives of other bodies may attend the meetings.

Article 4

Information to the public

1. The meetings of the EU-Mongolia Joint Committee shall not be public unless otherwise decided by the Chair, in agreement with the Parties. When a Party submits information designated as confidential to the EU-Mongolia Joint Committee, the other Party shall treat that information as such.
2. The EU-Mongolia Joint Committee may issue statements to the public as it deems appropriate.

Article 5

Secretariat

A representative of the European External Action Service and a representative of the Government of Mongolia shall act jointly as Secretaries of the EU-Mongolia Joint Committee. They shall be made aware of all communication, to and from the Chair, including by any written means such as electronic mail.

Article 6

Agendas for meetings

1. The Chair shall draw up a provisional agenda for each meeting of the EU-Mongolia Joint Committee. The provisional agenda shall be sent, together with the relevant documents, to the Parties at least 21 days before the date of the meeting.
2. Either Party may request the Chair to place an item on the agenda.

3. The agenda shall be adopted by the EU-Mongolia Joint Committee at the beginning of each meeting. Items other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.
4. The Secretaries of the EU-Mongolia Joint Committee shall make public the provisional agenda of the EU-Mongolia Joint Committee before the meeting.
5. In special circumstances and in agreement with the Parties, the Chair may shorten the time-limit referred to in paragraph 1 in order to take account of the requirements of the particular case.

Article 7

Agreed minutes

1. The conclusions of the meetings of the EU-Mongolia Joint Committee shall be recorded in the form of agreed minutes.
2. The Chair shall summarise the conclusions reached by the EU-Mongolia Joint Committee at each meeting. The two Secretaries shall jointly draw up draft minutes on the basis of those conclusions, preferably at the end of the meeting or at the latest within 30 calendar days following the date of the meeting.
3. The EU-Mongolia Joint Committee shall approve the draft preferably at the end of the meeting or at the latest within 45 calendar days of the date of the meeting or by any other date agreed by the EU-Mongolia Joint Committee. Once the EU-Mongolia Joint Committee has approved the draft minutes, two original copies shall be signed by the Chair. Each Party shall receive one original copy.

Article 8

Decisions and recommendations

1. The EU-Mongolia Joint Committee may agree to adopt recommendations or decisions for the purposes of attaining the objectives of the Agreement.
2. Decisions or recommendations of the EU-Mongolia Joint Committee shall be entitled 'Decision' or 'Recommendation' respectively, followed by a serial number, the date of their adoption and a description of the subject matter. Each decision shall state the date on which it enters into force.

3. Where circumstances so require, the EU-Mongolia Joint Committee may adopt its Decisions or Recommendations by written procedure.
4. Decisions and recommendations of the EU-Mongolia Joint Committee shall be established in two authentic copies each signed by the Chair.
5. The Parties may publish the decisions and recommendations of the EU-Mongolia Joint Committee in their official journals.

Article 9

Expenses

1. Each Party shall bear the expenses it incurs in relation to its participation in the meetings of the EU-Mongolia Joint Committee, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure. Each Party shall bear the expenses it incurs in connection with interpretation at meetings and translation.
2. The Party hosting the meeting shall bear the expenses in connection with the organisation of meetings and reproduction of documents.

Article 10

Specialised working groups

1. The EU-Mongolia Joint Committee may set up specialised working groups to assist it in the performance of its tasks.
2. The EU-Mongolia Joint Committee may decide to abolish any specialised working group, adopt or amend their terms of reference.
3. The specialised working groups shall have decision-making powers. They shall make detailed oral and written reports of their activities to the EU-Mongolia Joint Committee after each of their meetings and may make recommendations to the EU-Mongolia Joint Committee.

Article 11

Amendment to the Rules of Procedure

The Rules of Procedure may be amended by common agreement of the Parties in accordance with Article 8.

ANNEX II

**Decision No 1/.... of the EU-Mongolia Subcommittee on Trade and Investment
established by the Framework Agreement on Partnership and Cooperation between the
European Union and its Member States, of the one part, and Mongolia, of the other part
(' the EU-Mongolia Subcommittee on Trade and Investment')**

of....

adopting its Rules of Procedure

THE EU-MONGOLIA SUBCOMMITTEE ON TRADE AND INVESTMENT,

Having regard to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part ('the Agreement'), and in particular to Article 28 thereof,

Whereas:

- (1) Pursuant to Article 28 of the Agreement, the EU-Mongolia Subcommittee on Trade and Investment was established in order to assist the Joint Committee in the performance of its tasks, by dealing with all areas covered by Title IV of the Agreement (Cooperation on Trade and Investment Issues).
- (2) Pursuant to Article 28(3) of the Agreement, the EU-Mongolia Subcommittee on Trade and Investment is to establish its rules of procedures.

HAS DECIDED AS FOLLOWS:

Sole Article

The Rules of Procedure of the EU-Mongolia Subcommittee on Trade and Investment, as set out in the Annex, are hereby adopted.

This Decision enters into force on the date of its adoption.

Done at Brussels/Ulaanbaatar

*For the EU-Mongolia Subcommittee on
Trade and Investment*

The Chair

ANNEX
**RULES OF PROCEDURE OF THE EU-MONGOLIA SUBCOMMITTEE ON TRADE
AND INVESTMENT**

Article 1

Composition and chair

1. The Subcommittee that is established under Article 28 of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part ('the EU-Mongolia Subcommittee on Trade and Investment') shall perform the tasks provided for in Article 28(2) of the Agreement.
2. The EU-Mongolia Subcommittee on Trade and Investment shall be composed of representatives of the Union and Mongolia at an appropriate level and shall be chaired alternately by a representative of the European Commission service in charge on the EU side and by [...] on the Mongolian side, for a period of one calendar year.

Article 2

Meetings

1. The EU-Mongolia Subcommittee on Trade and Investment shall meet annually, shortly before the meeting of the EU-Mongolia Joint Committee. Meetings of the EU-Mongolia Subcommittee on Trade and Investment shall be convened by the Chair. Meetings shall be held in Brussels and Ulaanbaatar alternately, on a date fixed by mutual agreement. Special sessions of the EU-Mongolia Subcommittee on Trade and Investment may be held at the request of either Party, if the Parties so agree.
2. If the Parties agree, the meetings of the EU-Mongolia Subcommittee on Trade and Investment may be held by means of video-conference.

Article 3

Delegations

1. Each Party shall inform the Chair of the intended composition of its delegation, before each meeting of the EU-Mongolia Subcommittee on Trade and Investment.

2. The Chair, in agreement with the Parties, may invite experts or representatives of other bodies to the meeting to act as observers or to provide information on a particular subject. The Parties shall agree on the terms and conditions under which those observers and representatives of other bodies may attend the meetings.

Article 4

Information to the public

1. Unless otherwise decided by the Chair, in agreement with the Parties, the meetings of the EU-Mongolia Subcommittee on Trade and Investment shall not be public. When a Party submits information designated as confidential to the EU-Mongolia Subcommittee on Trade and Investment, the other Party shall treat that information as such.
2. The EU-Mongolia Subcommittee on Trade and Investment may issue statements and reports to the public as it deems appropriate.

Article 5

Secretariat

1. A representative of the European Commission service in charge and a representative of the Ministry of Foreign Affairs of Mongolia shall act jointly as Secretaries of the EU-Mongolia Subcommittee on Trade and Investment.

Article 6

Agendas for meetings

1. The Chair shall draw up a provisional agenda for each meeting of the EU-Mongolia Subcommittee on Trade and Investment.
2. Either Party may request the Chair to place an item on the agenda.
3. The agenda shall be adopted by the EU-Mongolia Subcommittee on Trade and Investment at the beginning of each meeting. Items other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.
4. The Secretaries of the EU-Mongolia Subcommittee on Trade and Investment shall make public the provisional agenda of the EU-Mongolia Subcommittee on Trade and Investment before the meeting.

Article 7

Minutes

1. The conclusions of the meetings of the EU-Mongolia Subcommittee on Trade and Investment shall be recorded in the form of agreed minutes.
2. The Chair shall summarise the conclusions reached by the EU-Mongolia Subcommittee on Trade and Investment at each meeting and report them to the EU-Mongolia Joint Committee. The two Secretaries shall jointly draw up draft minutes on the basis of those conclusions, preferably at the end of the meeting or at the latest within 30 calendar days following the date of the meeting.
3. The EU-Mongolia Subcommittee on Trade and Investment shall approve the draft preferably at the end of the meeting or at the latest within 45 calendar days following the date of the meeting or by any date agreed by the EU-Mongolia Subcommittee on Trade and Investment.

Article 8

Decisions

1. The EU-Mongolia Subcommittee on Trade and Investment may agree on decisions where provided for by the Agreement.
2. Decisions of the EU-Mongolia Subcommittee on Trade and Investment shall be entitled 'Decision of the Subcommittee on Trade and Investment' followed by a serial number, the date of their adoption and a description of the subject matter. Each decision shall state the date on which it enters into force.
3. Where circumstances so require, the EU-Mongolia Subcommittee on Trade and Investment may adopt its Decisions by written procedure.
4. Decisions of the EU-Mongolia Subcommittee on Trade and Investment shall be established in two authentic copies each signed by the Chair.
5. The Parties may publish the decisions of the the EU-Mongolia Subcommittee on Trade and Investment in their respective official journals.

Article 9

Expenses

1. Each Party shall bear the expenses it incurs in relation to its participation in the meetings of the EU-Mongolia Subcommittee on Trade and Investment, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure. Each Party shall bear the expenses it incurs in connection with interpretation at meetings and translation.
2. The Party hosting the meeting shall bear the expenses in connection with the organisation of meetings and reproduction of documents.

Article 10

Amendment of the Rules of Procedure

The Rules of Procedure may be amended by common agreement of the Parties.