

EN

EN

EN



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 3.3.2009
COM(2009) 97 final

Proposal for a

COUNCIL DECISION

on a Community Position concerning the participation in the CARIFORUM-EC Consultative Committee provided for by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part and on the selection of the representatives of organizations located in the EC Party

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part was signed on 15 October 2008, and it is provisionally applied as of 29 December 2008. The Agreement enshrines, in its Article 5, monitoring as one of the key elements in the Partnership for Sustainable Development which the Agreement establishes. In addition, the institutional chapter contains specific provisions on monitoring, thus contributing to the effective implementation of such activity. A particularly important role will be played by the CARIFORUM-EC Consultative Committee provided for by article 232 of the Agreement. The Council is called to decide on EC participation in the Consultative Committee, with a view to ensuring a broad representation of all interested parties. In this regard the European Economic and Social Committee (EESC) is willing to be instrumental in the selection of European representatives to the CARIFORUM-EC Consultative Committee, and to ensure the secretariat of that Committee in the light of its considerable experience in coordinating joint bodies of a similar nature, and the fact that the EESC already conducts a regular dialogue with counterparts in ACP countries.

Proposal for a

COUNCIL DECISION

on a Community Position concerning the participation in the CARIFORUM-EC Consultative Committee provided for by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part and on the selection of the representatives of organizations located in the EC Party

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 300(2), second subparagraph thereof,

Having regard to the proposal from the Commission¹,

Having consulted the European Economic and Social Committee,

Whereas:

- (1) The Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part², was signed on 15 October 2008, and is provisionally applied as of 29 December 2008.
- (2) Article 232(2) of the Agreement provides for its Joint Council to decide on the participation in the CARIFORUM-EC Consultative Committee, with a view to ensuring a broad representation of all interested parties.
- (3) It is crucial to ensure the rapid set up of the institutions provided for by the Agreement, and in particular the CARIFORUM-EC Consultative Committee, in the light of its role in monitoring the implementation of the Agreement.
- (4) An internal Community procedure should be established for selecting representatives of organizations located in the EC Party.
- (5) The European Economic and Social Committee has expressed its willingness to assist in identifying and selecting European civil society organisations representatives, and for holding initially the Consultative Committee secretariat,

¹ OJ

² OJ L 289, 30.10.2008, p.3

HAS DECIDED AS FOLLOWS:

Article 1

The position of the Community in view of the adoption of a Decision of the Agreement's Joint Council leading to the selection of standing members of the CARIFORUM-EC Consultative Committee (hereafter "the Committee") provided for by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, shall be based on the draft decision of the Joint Council in Annex to this Decision (hereafter "the Annex").

Article 2

1. Representatives of the European organizations defined in article 1.1(a) of the Annex shall be proposed by the European Economic and Social Committee in consultation with the Commission for approval by the CARIFORUM-EC Trade and Development Committee.
2. The European Economic and Social Committee shall be asked to establish rosters of the organizations defined in article 1.1(b) and 1.1(c) of the Annex. This shall be effected by widely publicizing a call for expression of interest to be included in such roster. In replying to such call any interested organization shall describe how it fulfils the requirements set out in article 1 of the Annex. The rosters shall remain open for any organization fulfilling the requirements of that provision to be included. Organisations included in the rosters will be kept especially informed of the working of the Committee.
3. In the call for expression of interest, organizations shall also be invited to express an interest in one of their representatives to serve as a standing member of the Committee. The Organisations included in the rosters will be subsequently called to endorse the candidature of up to two standing representatives for the Committee, among those having expressed such interest. The EC party shall propose to the CARIFORUM-EC Trade and Development Committee as standing members for categories 1.1(b) and 1.1(c) those representatives having received more endorsements.
4. A call for expression of interest to serve as standing members of the Committee shall be launched four months before the expiry of the mandate of the members serving in the Committee. The designation shall follow the same procedures set out in paragraph 3.

Done at Brussels, [...]

For the Council
The President
[...]

ANNEX

DECISION No .../2009 OF THE JOINT COUNCIL

set up by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part concerning the participation in the CARIFORUM-EC Consultative Committee

THE JOINT CARIFORUM-EC COUNCIL,

Having regard to the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part (hereinafter referred to as the "Agreement"), signed in Bridgetown, Barbados on 15 October 2008, and in particular Article 232 (2) thereof,

Whereas

In the light of the objectives laid down under Article 1 of the Agreement, and the commitment to its monitoring provided for in its Article 5, it is appropriate to set up expeditiously the CARIFORUM-EC Consultative Committee,

HAS DECIDED AS FOLLOWS:

Article 1

1. Participation in the CARIFORUM-EC Consultative Committee (hereafter "the Committee") shall be made up of [...] standing members in representation of organisations of the civil society, [...] in representation of organizations located in the CARIFORUM States and [...] in representation of organizations located in the EC Party.

Among each of these two groups there shall be at least two representatives from organizations representing respectively:

- (a) the social and economic partners,
- (b) the academic community, and
- (c) other non-governmental organizations, including development and environmental organisations.

Standing members shall remain in office for two years. Relevant expertise and broad geographical and sectoral representation shall be ensured.

2. For the purpose of this Decision, organisations of civil society shall mean associations, foundations and other private institutions which have a non-profit making aim of international utility and which are able to contribute expert information or advice in matters covered by the Agreement, or which represent important elements of public opinion concerned with matters covered by the Agreement. This requirement may be waived in the case of academic institutions with a specific expertise on matters covered by the Agreement.
3. An organization shall be deemed to be located in the territory of either the CARIFORUM States or of the EC Party if such organisation has its statutory office and the central management and control in the territory of the CARIFORUM States or the EC Party as the case may be.

Article 2

The CARIFORUM-EC Trade and Development Committee shall expeditiously discuss and approve the list of standing members proposed by the CARIFORUM States and the EC Party respectively, and its renewals.

Article 3

Any organization fulfilling the requirements of Article 1 may attend the meetings of the CARIFORUM-EC Consultative Committee as an observer. However, only standing members may receive financial assistance for the discharge of their duties within the Committee.

Article 4

The European Economic and Social Committee shall serve as the secretariat of the Committee for an initial period ending on 31 December 2010. Such period shall be automatically renewed unless the Parties or the European Economic and Social Committee disagree with prior and reasonable advance notification.

Article 5

Financing arrangements shall be established by the CARIFORUM-EC Trade and Development Committee.

Article 6

This Decision shall enter into force on [...]

Done at [...] 2009