



**COUNCIL OF  
THE EUROPEAN UNION**

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**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION concerning a position of the European Union to be adopted in the EU - Serbia Interim Committee on its Rules of Procedure including the Terms of Reference and Structure of the EU-Serbia sub-committees

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**COUNCIL DECISION**

**of**

**concerning a position of the European Union  
to be adopted in the EU - Serbia Interim Committee on  
its Rules of Procedure including the Terms of Reference  
and Structure of the EU-Serbia sub-committees**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Serbia, of the other part<sup>1</sup> (hereinafter referred to as "the Interim Agreement"), that was signed on 29 April 2008, entered into force on 1 February 2010.
- (2) Article 43(2) of the Interim Agreement provides that the Interim Committee shall adopt its own Rules of Procedure.
- (3) Article 45 of the Interim Agreement provides that the Interim Committee may decide to set up sub-committees.
- (4) The designation, composition, Terms of Reference and Structure of the sub-committees should be laid down in the Interim Committee's Rules of Procedure.
- (5) The Union should determine the position to be taken within the Interim Committee with regard to the adoption of the Rules of Procedure,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> OJ L 28, 30.1.2010, p. 2.

*Sole Article*

The position to be adopted by the Union within the Interim Committee referred to in Article 43 of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Serbia, of the other part, shall be based on the draft Decision of the Interim Committee attached to this Decision.

Done at Brussels, ...

*For the Council*

*The President*

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Draft

DECISION No 1/201... of the EU – Serbia Interim Committee

of ...

on its Rules of Procedure including  
the Terms of Reference and Structure  
of the EU -Serbia sub-committees

THE EU – SERBIA INTERIM COMMITTEE,

Having regard to the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Serbia, of the other part<sup>1</sup> (hereinafter referred to as "the Interim Agreement") that was signed on 29 April 2008, and in particular Article 43 thereof,

HAS DECIDED AS FOLLOWS:

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<sup>1</sup> Official Journal of the European Union L 28, 30.1.2010, p. 2.

*Article 1*  
*Chairmanship*

The Interim Committee shall be chaired alternately, for periods of 12 months, by a representative of the European Commission on behalf of the European Union (hereinafter referred to as the "Union") and a representative of the Government of the Republic of Serbia. However, the first period shall begin on the date of the first Interim Committee meeting and end on 31 December of the same year.

*Article 2*  
*Meetings*

1. The Interim Committee shall meet regularly once a year in Brussels or Belgrade as agreed by both Parties. Special meetings of the Interim Committee may be convened by mutual agreement at the request of either Party.
2. The meetings of the Interim Committee shall be convened by the Chairman.
3. Unless otherwise agreed, the meetings of the Interim Committee shall not be public.

*Article 3*  
*Delegations*

1. Prior to each meeting, the Chairman shall be informed of the intended composition of the delegation of each Party.
2. A representative of the European Investment Bank (EIB) may attend the meetings of the Interim Committee, as an observer, when matters which concern the EIB appear on the agenda.
3. The Interim Committee may invite non-members to attend its meetings in order to provide information on particular subjects.
4. The Member States of the Union shall be informed about the meetings of the Interim Committee.

*Article 4*  
*Secretariat*

An official of the European Commission and an official of the Republic of Serbia shall act jointly as Secretaries of the Interim Committee.

*Article 5*  
*Correspondence*

All correspondence to and from the Chairman of the Interim Committee shall be forwarded to both Secretaries. The two Secretaries shall ensure that correspondence is circulated, where appropriate, to their respective representatives in the Interim Committee.

*Article 6*  
*Agenda of the meetings*

1. The Chairman and the Secretaries shall draw up a provisional agenda for each meeting not later than 15 working days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which a request for inclusion has been received by the Secretaries not later than 21 working days before the beginning of the meeting, save that items shall not be written into the provisional agenda unless the supporting documentation has been forwarded to the Secretaries not later than the date of dispatch of the provisional agenda.

The agenda shall be adopted by the Interim Committee at the beginning of each meeting. Items other than those appearing on the provisional agenda may be included in the agenda if the two Parties so agree.

2. The Chairman may, in agreement with the two Parties, shorten the time limits specified in paragraph 1 in order to take account of the requirements of a particular case.

#### *Article 7*

#### *Minutes*

Draft minutes of each Interim Committee meeting shall be drawn up by the Party hosting the meeting. They shall indicate the decisions and recommendations taken and the conclusions adopted. Within the two months following the meeting, the draft minutes shall be submitted to the Interim Committee for approval. When approved, the minutes shall be signed by the Chairman and the two Secretaries and one original copy shall be filed by each of the Parties. A copy of the minutes shall be forwarded to each of the addressees referred to in Article 5.

*Article 8*  
*Deliberations*

The Interim Committee shall take its decisions and formulate its recommendations by mutual agreement between the Parties.

During the inter-session period, the Interim Committee may take decisions or make recommendations by written procedure if both Parties so agree.

The decisions and recommendations of the Interim Committee within the meaning of Article 44 of the Interim Agreement shall be entitled respectively "Decision" and "Recommendation" and followed by a serial number, by the date of their adoption and by a description of their subject.

The decisions and recommendations of the Interim Committee shall be signed by the Chairman and authenticated by the two Secretaries.

The decisions taken by the Interim Committee shall be published by the Parties in their respective official publications. Each Party may decide on the publication of any other act adopted by the Interim Committee.

*Article 9*  
*Languages*

The official languages of the Interim Committee shall be the official languages of the two Parties.

Unless otherwise decided, the Interim Committee shall base its deliberations on documentation prepared in these languages.

*Article 10*  
*Expenses*

The Union and the Republic of Serbia shall each defray the expenses they incur by reason of their participation in the meetings of the Interim Committee and of sub-committees, both in respect of staff, travelling and subsistence expenditure and of postal and telecommunications costs.

Expenditure in connection with interpretation, translation and reproduction of documents at meetings as well as any other expenditure relating to the material organisation of meetings shall be borne by the Party hosting the meetings.

*Article 11*  
*Sub-Committees*

1. The Terms of Reference and the Structure of the sub-committees set up to assist the Interim Committee in carrying out its duties are set out in the Annex to this Decision.
2. The sub-committees shall be composed of representatives of both Parties. They shall be chaired alternately by the two Parties, according to Article 1.
3. The sub-committees shall work under the authority of the Interim Committee, to which they shall report after each one of their meetings. They shall not take decisions but may make recommendations to the Interim Committee.
4. The Interim Committee may decide to abolish any existing sub-committee, modify their Terms of Reference or establish new sub-committees to assist it in carrying out its duties.

Done at,

*For the Interim Committee*  
*The Chairman*

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## ANNEX

### Terms of Reference and Structure of the EU-Serbia Sub-Committees

#### 1. Composition and Chair

In accordance with Article 11(2) of the Rules of Procedure, the subcommittees shall be composed of representatives of the European Commission and representatives of the Government of the Republic of Serbia (hereinafter referred to as "Serbia"). They shall be chaired alternately by the two Parties, according to Article 1 of the Rules of Procedure of the EU-Serbia Interim-Committee. The Member States shall be informed about the sub-committees meetings.

#### 2. Secretariat

An official of the European Commission and an official of the Government of Serbia shall act jointly as Secretaries of each of the sub-committees.

All communications concerning the sub-committees shall be forwarded to the Secretaries of the relevant sub-committees.

### 3. Meetings

The sub-committees shall meet regularly once a year, and whenever circumstances require, with the agreement of both Parties. Each meeting of a sub-committee shall be held at a time and place agreed by both Parties.

If both Parties agree, the sub-committees may invite experts to their meetings to provide the specific information requested.

### 4. Subject matters

The sub-committees shall discuss issues according to the multidisciplinary sub-committee structure below. Implementation of the Interim Agreement and the European Partnership, preparation for implementation of the Stabilisation and Association Agreement, and progress regarding the approximation, implementation and enforcement of legislation shall be assessed in all relevant fields. The sub-committees shall examine any problems that may arise in their relevant sectors and shall suggest possible steps to be taken.

The sub-committees shall also serve as fora for the further clarification of the Union *acquis*, and shall review progress made by Serbia in conforming to the Union *acquis* in line with commitments made in the Interim Agreement.

5. Minutes

Draft minutes of each sub-committee meeting shall be established within the two months following the meeting. Once agreed by both Parties, a copy of the minutes shall be forwarded by the Secretaries of the sub-committee to the Secretaries of the Interim Committee.

6. Publicity

Unless otherwise decided, the meetings of the sub-committees shall not be public.

7. Sub-committees Structure

- 1) Sub-committee on Trade, Industry, Customs, Taxation and Cooperation with other candidate countries (Article 3, Articles 4 to 8, Articles 19 to 33, Article 36, Article 37, Article 41 and Article 52 of the Interim Agreement),

- 2) Sub-committee on Agriculture and Fisheries, Food Safety, Veterinary and phytosanitary matters (Article 9, Article 10, Article 11(2) to (4), Article 12(2), Articles 13 to 18, Articles 21 and 27 of the Interim Agreement),
  - 3) Sub-committee on Internal Market and Competition (Article 35, Article 37, Article 38 with Protocol 4, Article 39 and Article 40 of the Interim Agreement),
  - 4) Sub-committee on Economic and Financial Issues and Statistics ( Article 35 and Article 38(7)(b) of the Interim Agreement),
  - 5) Sub-committee on Transport (Article 34 of the Interim Agreement).
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