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Proposal for a

**COUNCIL DECISION**

**on a Union position in the Joint Committee on the implementation of Article 66 of the Euro-Mediterranean Interim Association Agreement on Trade and Co-operation between the European Community, on the one part, and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza strip, on the other part**

## EXPLANATORY MEMORANDUM

1. The Interim Association Agreement forms the legal basis for the bilateral relations between the European Union (EU) and the Palestinian Authority (PA).
2. Article 66 of the Interim Association Agreement provides for the setting up of the necessary bodies for its implementation.
3. In 2008 four subcommittees were set up with the following configuration: (i) Economic and Financial Matters, Trade, Customs Issues; (ii) Social Affairs; (iii) Energy, Environment, Transport, Science and Technology; (iv) Human rights, good governance and rule of law.
4. Following two rounds of subcommittees held between 2008-2010, the PA submitted a formal request at the 2010 Joint Committee to increase the number of subcommittees in order to ensure more focused discussions and a more adequate follow-up.
5. Based on the experience of the last two rounds of subcommittees, the European External Action Service also considers that the current number of subcommittees is not sufficient to enable a thorough discussion and proper co-ordination. By increasing the number of subcommittees to six, it is expected that the European Neighbourhood Policy (ENP) process will become much more focused and mutually beneficial. The PA has also shown increased capacity to participate in this process and has taken ownership of the process. The present proposal largely follows the same structure and scheme as the subcommittees with other ENP partners.
6. The PA is willing to strengthen cooperation in the various areas covered by the provisions of the Interim Association Agreement (IAA). The aim is for the bilateral relations between the EU and the Palestinian Authority to develop into an overall partnership with a coherent approach guaranteed by close and permanent coordination of all the various elements.
7. In view of the above, the European Commission proposes to the Council that the number of subcommittees is increased from four to six subcommittees in order to support the Joint Committee in the implementation of the IAA and the ENP Action Plan. The subcommittees will discuss matters of a technical nature that cannot be fully dealt with in the framework of the Joint Committee.
8. The six subcommittees proposed will cover the same issues dealt with in the current four subcommittees but will enable a more constructive discussion since more time will be allocated to each subject matter. The proposed configuration of the subcommittees is: (i) Human rights, good governance and rule of law; (ii) Social Affairs and Health (iii) Research, Innovation, Information Society, Audiovisual and Media, Education and Culture (iv) Economic and Financial Matters (v) Trade and Internal Market, Industry, Agriculture and Fisheries, Customs (vi) Energy, Transport, Climate Change, Environment, Water.
9. The objective, the subjects covered by each subcommittee and the implementing procedures are contained in the rules of procedure.

Proposal for a

## COUNCIL DECISION

**on a Union position in the Joint Committee on the implementation of Article 66 of the Euro-Mediterranean Interim Association Agreement on Trade and Co-operation between the European Community, on the one part, and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza strip, on the other part**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission<sup>1</sup>

Whereas:

- (1) The Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part (hereinafter referred to as the "Agreement"), was signed in Brussels on 24 February 1997 and entered into force on 1 July 1997.
- (2) Article 66 of the Agreement provides for the setting up of committees ("subcommittees") to assist the Joint Committee, established under Article 63 of the Agreement, in carrying out its duties.
- (3) Such committees were set up pursuant to Council Decision 12941/08 of 2008. The reorganization of such committees is necessary in order to enable a more organized and structured dialogue and to better reflect the increased bilateral co-operation.

HAS ADOPTED THIS DECISION:

### *Article 1*

The Union position in the Joint Committee on the implementation of Article 66 of the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part, shall be based on the draft Decision of the Joint Committee attached to this Decision\*.

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<sup>1</sup> OJ C [...], [...], P. [...]

\* See document CE-OLP ...

*Article 2*

Staff of the Commission and the European External Action Service, assisted by the representatives of the Member States, shall represent the Union in the six subcommittees, established by the draft Decision of the Joint Committee referred to in Article 1.

*Article 3*

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

This Decision of the Joint Committee shall be published in the Official Journal of the European Union.

Done at Brussels,

*For the Council*  
*The President*

ANNEX A

Draft

**DECISION No .../2011**  
**OF THE EC-PLO JOINT COMMITTEE**  
**of**  
**setting up six subcommittees**

THE JOINT COMMITTEE,

Having regard to the Euro-Mediterranean Interim Association Agreement on Trade and Cooperation between the European Community, of the one part, and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part<sup>1</sup> (hereinafter referred to as the “Interim Association Agreement”),

Whereas:

- (1) The functioning of the European Neighbourhood Policy and its Action Plans in a wide range of sectoral areas requires the establishment of the proposed subcommittees.
- (2) Whereas the EC-PLO Interim Association Agreement has entered a new phase of implementation in the context of the European Neighbourhood Policy and developments in the region.
- (3) Article 66 of the Agreement provides for the setting up of any other committee (hereafter referred to as subcommittees) that can assist the Joint Committee in carrying out its duties.
- (4) Whereas this decision will repeal Council Decision 12941/08 pursuant to which four subcommittees had been set up.
- (5) The Palestinian Authority has requested to increase the number of subcommittees.

HAS DECIDED AS FOLLOWS:

*Article 1*

The six subcommittees of the Joint Committee, listed in Annex I, are hereby set up.

The rules of procedure, set out in Annex II, are hereby adopted.

The Joint Committee shall take any action needed to ensure that they operate properly. It may decide to set up further subcommittees or groups or to abolish existing subcommittees or groups.

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<sup>1</sup> OJ C [...], [...], P. [...]

*Article 2*

This Decision shall enter into force on the day of its adoption. This Decision will repeal Council Decision 12941/08 of 2008.

Done at [...]

*For the Joint Committee*

*The President*

## **ANNEX I**

### **SUBCOMMITTEES ATTACHED TO THE JOINT COMMITTEE**

- (1) The “Human rights, good governance and rule of law” subcommittee
- (2) The “Social Affairs and Health” Subcommittee
- (3) The “Research, Innovation, Information Society, Audiovisual and Media, Education and Culture” subcommittee
- (4) The “Economic and Financial Matters” subcommittee
- (5) The “Trade and Internal Market, Industry, Agriculture and Fisheries, Customs” subcommittee
- (6) The “Energy, Transport, Climate Change, Environment, Water” subcommittee

## ANNEX II

### **1) Rules of Procedure of the “Human rights, good governance and rule of law” subcommittee**

#### **1. Composition and Chair**

The subcommittee shall be composed of representatives of the European Union and representatives of the Palestinian Authority. It shall be chaired alternately by the two parties.

#### **2. Role**

The subcommittee shall work under the authority of the Joint Committee, to which it shall report after each meeting. The subcommittee shall not have any decision-making power but may submit proposals to the Joint Committee.

#### **3. Subject-Matter**

The subcommittee shall discuss the implementation of the Interim Association Agreement and the related European Neighbourhood Policy Action Plan in the areas listed below and shall assess progress on the objectives and actions which have been identified and agreed upon in the Action Plan. Where relevant, the subcommittee shall discuss co-operation in public administration matters. In this context, it shall examine any problems that may arise in the sectors below and shall suggest possible steps to be undertaken:

(a) human rights;

(b) good governance;

(c) rule of law.

The above list is not exhaustive and other sectors, including horizontal sectors, may be added by a decision of the Joint Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

#### **4. Secretariat**

An official of the European Union and an official of the Palestinian Authority shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

#### **5. Meetings**

The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from the chairperson of either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the permanent secretary of the other party shall reply within fifteen working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings shall be in writing.



Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the permanent secretary in charge, in agreement with the chair. Before each meeting, the chair shall be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings in order to provide the specific information required.

#### 6. Agenda of the meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the permanent secretaries.

A provisional agenda shall be drawn up by the chair for each meeting. It shall be forwarded by the permanent secretary in charge to his or her counterpart no later than ten days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which the permanent secretaries have received a request for inclusion in the agenda no later than fifteen days before the beginning of the meeting. Supporting documentation shall be received by both parties at least seven days ahead of the meeting. To take account of urgent matters, these time limits may be shortened provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

#### 7. Minutes

Minutes shall be taken and agreed upon by both permanent secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the permanent secretaries of the subcommittee to the secretaries and chair of the Joint Committee.

#### 8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.

## 2) Rules of Procedure of the “Social Affairs and Health” subcommittee

### 1. Composition and Chair

The subcommittee shall be composed of representatives of the European Union and representatives of the Palestinian Authority. It shall be chaired alternately by the two parties.

### 2. Role

The subcommittee shall work under the authority of the Joint Committee, to which it shall report after each meeting. The subcommittee shall not have any decision-making power but may submit proposals to the Joint Committee.

### 3. Subject-Matter

The subcommittee shall discuss the implementation of the Interim Association Agreement and the related European Neighbourhood Policy Action Plan in the areas listed below and shall assess progress on the objectives and actions which have been identified and agreed upon in the Action Plan. Where relevant, the subcommittee shall discuss co-operation in public administration matters. In this context, it shall examine any problems that may arise in the sectors below and shall suggest possible steps to be undertaken:

(a) employment and social development;

(b) public health

The above list is not exhaustive and other sectors, including horizontal sectors, may be added by a decision of the Joint Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

### 4. Secretariat

An official of the European Union and an official of the Palestinian Authority shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

### 5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from the chairperson of either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the permanent secretary of the other party shall reply within fifteen working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings shall be in writing.

Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the permanent secretary in charge, in agreement with the chair. Before each meeting, the chair shall be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings in order to provide the specific information required.

#### 6. Agenda of the meetings

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The agenda shall be adopted by the subcommittee at the beginning of each meeting.

#### 7. Minutes

Minutes shall be taken and agreed upon by both permanent secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the permanent secretaries of the subcommittee to the secretaries and chair of the Joint Committee.

#### 8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.

### **3) Rules of Procedure of the “Research, Innovation, Information Society, Audiovisual and Media, Education and Culture” subcommittee**

#### **1. Composition and Chair**

The subcommittee shall be composed of representatives of the European Union and representatives of the Palestinian Authority. It shall be chaired alternately by the two parties.

#### **2. Role**

The subcommittee shall work under the authority of the Joint Committee, to which it shall report after each meeting. The subcommittee shall not have any decision-making power but may submit proposals to the Joint Committee.

#### **3. Subject-Matter**

The subcommittee shall discuss the implementation of the Interim Association Agreement and the related European Neighbourhood Policy Action Plan in the areas listed below and shall assess progress on the objectives and actions which have been identified and agreed upon in the Action Plan. Where relevant, the subcommittee shall discuss co-operation in public administration matters. In this context, it shall examine any problems that may arise in the sectors below and shall suggest possible steps to be undertaken:

- (a) education and vocational training;
- (b) culture;
- (c) youth;
- (d) information society and audiovisual and media policy;
- (e) science and technology;
- (f) research and development.

The above list is not exhaustive and other sectors, including horizontal sectors, may be added by a decision of the Joint Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

#### **4. Secretariat**

An official of the European Union and an official of the Palestinian Authority shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

#### **5. Meetings**

The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from the chairperson of either party, channelled through their secretary, who will

pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the permanent secretary of the other party shall reply within fifteen working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings shall be in writing.

Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the permanent secretary in charge, in agreement with the chair. Before each meeting, the chair shall be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings in order to provide the specific information required.

#### 6. Agenda of the meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the permanent secretaries.

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The agenda shall be adopted by the subcommittee at the beginning of each meeting.

#### 7. Minutes

Minutes shall be taken and agreed upon by both permanent secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the permanent secretaries of the subcommittee to the secretaries and chair of the Joint Committee.

#### 8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.

#### **4) Rules of Procedure of the “Economic and Financial Matters” subcommittee**

##### **1. Composition and Chair**

The subcommittee shall be composed of representatives of the European Union and representatives of the Palestinian Authority. It shall be chaired alternately by the two parties.

##### **2. Role**

The subcommittee shall work under the authority of the Joint Committee, to which it shall report after each meeting. The subcommittee shall not have any decision-making power but may submit proposals to the Joint Committee.

##### **3. Subject-Matter**

The subcommittee shall discuss the implementation of the Interim Association Agreement and the related European Neighbourhood Policy Action Plan in the areas listed below and shall assess progress on the objectives and actions which have been identified and agreed upon in the Action Plan. Where relevant, the subcommittee shall discuss co-operation in public administration matters. In this context, it shall examine any problems that may arise in the sectors below and shall suggest possible steps to be undertaken:

- (a) financial accountability and sound management of public finances;
- (b) economic reform and development;
- (c) statistics.

The above list is not exhaustive and other sectors, including horizontal sectors, may be added by a decision of the Joint Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

##### **4. Secretariat**

An official of the European Union and an official of the Palestinian Authority shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

##### **5. Meetings**

The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from the chairperson of either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the permanent secretary of the other party shall reply within fifteen working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings shall be in writing.

Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the permanent secretary in charge, in agreement with the chair. Before each meeting, the chair shall be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings in order to provide the specific information required.

#### 6. Agenda of the meetings

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The agenda shall be adopted by the subcommittee at the beginning of each meeting.

#### 7. Minutes

Minutes shall be taken and agreed upon by both permanent secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the permanent secretaries of the subcommittee to the secretaries and chair of the Joint Committee.

#### 8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.

## **5) Rules of Procedure of the “Trade and Internal Market, Industry, Agriculture and Fisheries, Customs” subcommittee**

### **1. Composition and Chair**

The subcommittee shall be composed of representatives of the European Union and representatives of the Palestinian Authority. It shall be chaired alternately by the two parties.

### **2. Role**

The subcommittee shall work under the authority of the Joint Committee, to which it shall report after each meeting. The subcommittee shall not have any decision-making power but may submit proposals to the Joint Committee.

### **3. Subject-Matter**

The subcommittee shall discuss the implementation of the Interim Association Agreement and the related European Neighbourhood Policy Action Plan in the areas listed below and shall assess progress on the objectives and actions which have been identified and agreed upon in the Action Plan. Where relevant, the subcommittee shall discuss co-operation in public administration matters. In this context, it shall examine any problems that may arise in the sectors below and shall suggest possible steps to be undertaken:

- (a) trade-related issues;
- (b) agriculture and fisheries;
- (c) sanitary and phyto-sanitary (SPS) issues;
- (d) investment;
- (e) market and regulatory reform;
- (f) industry and small and medium-sized enterprises (SMEs);
- (g) customs issues;
- (h) taxation.

The above list is not exhaustive and other sectors, including horizontal sectors, may be added by a decision of the Joint Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

### **4. Secretariat**

An official of the European Union and an official of the Palestinian Authority shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

### **5. Meetings**



The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from the chairperson of either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the permanent secretary of the other party shall reply within fifteen working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings shall be in writing.

Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the permanent secretary in charge, in agreement with the chair. Before each meeting, the chair shall be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings in order to provide the specific information required.

#### 6. Agenda of the meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the permanent secretaries.

A provisional agenda shall be drawn up by the chair for each meeting. It shall be forwarded by the permanent secretary in charge to his or her counterpart no later than ten days before the beginning of the meeting.

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The agenda shall be adopted by the subcommittee at the beginning of each meeting.

#### 7. Minutes

Minutes shall be taken and agreed upon by both permanent secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the permanent secretaries of the subcommittee to the secretaries and chair of the Joint Committee.

#### 8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.

**6) Rules of Procedure of the “Energy, Transport, Climate Change, Environment, Water” subcommittee**

**1. Composition and Chair**

The subcommittee shall be composed of representatives of the European Union and representatives of the Palestinian Authority. It shall be chaired alternately by the two parties.

**2. Role**

The subcommittee shall work under the authority of the Joint Committee, to which it shall report after each meeting. The subcommittee shall not have any decision-making power but may submit proposals to the Joint Committee.

**3. Subject-Matter**

The subcommittee shall discuss the implementation of the Interim Association Agreement and the related European Neighbourhood Policy Action Plan in the areas listed below and shall assess progress on the objectives and actions which have been identified and agreed upon in the Action Plan. Where relevant, the subcommittee shall discuss co-operation in public administration matters. In this context, it shall examine any problems that may arise in the sectors below and shall suggest possible steps to be undertaken:

- (a) energy;
- (b) transport;
- (c) climate change;
- (d) environment;
- (e) water.

The above list is not exhaustive and other sectors, including horizontal sectors, may be added by a decision of the Joint Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

**4. Secretariat**

An official of the European Union and an official of the Palestinian Authority shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

**5. Meetings**

The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from the chairperson of either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the permanent secretary of the other party shall reply within fifteen working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings shall be in writing.

Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the permanent secretary in charge, in agreement with the chair. Before each meeting, the chair shall be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings in order to provide the specific information required.

#### 6. Agenda of the meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the permanent secretaries.

A provisional agenda shall be drawn up by the chair for each meeting. It shall be forwarded by the permanent secretary in charge to his or her counterpart no later than ten days before the beginning of the meeting.

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The agenda shall be adopted by the subcommittee at the beginning of each meeting.

#### 7. Minutes

Minutes shall be taken and agreed upon by both permanent secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the permanent secretaries of the subcommittee to the secretaries and chair of the Joint Committee.

#### 8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.