

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(90) 537 final

Brussels, 22 November 1990

Draft

DECISION

OF THE ACP-EEC COUNCIL OF MINISTERS

on the composition of the Commodities Committee
and its rules of operation

Common position of the Community

(presented by the Commission)

Explanatory memorandum

The fourth ACP-EEC Convention was signed in Lomé on 15 December 1989.

Under this Convention the Community and the ACP States have undertaken, inter alia, to employ all appropriate means to ensure close cooperation in the field of commodities.

For this purpose, Article 75 of the Convention makes provision for the setting-up of a "Commodities Committee", the main task of which will be to find solutions to the structural problems in the commodities sector.

The Commission, after discussion with the ACP States, believes that certain provisions of the new Convention should enter into force as soon as possible, notably Title IV of Part Two, which includes Article 75.

For this Committee to be set up properly, the legal provisions governing its composition and working also have to be adopted.

For this reason the Commission submits to the Council, as a draft common Community position, the attached draft joint ACP/EEC decisions.

Draft
DECISION
OF THE ACP-EEC COUNCIL OF MINISTERS

on the composition of the Commodities Committee
and its rules of operation

Article 1

1. The Commodities Committee, hereinafter referred to as the "Committee", provided by Article 75 of the fourth ACP-EEC Convention, signed in Lomé on 15 December 1989, hereinafter referred to as the "Convention" is hereby set up, composed, on the one hand, of a representative of each of the Member States of the European Economic Community and a representative of the Commission of the European Communities and, on the other, of thirteen representatives of the ACP States.
2. The term of office of representatives designated by the ACP-EEC Council of Ministers or, by delegation, by the ACP-EEC Committee of Ambassadors, shall be one year and shall be renewable.

Article 2

Without prejudice to Article 1, any ACP State not represented on the Committee may send an observer to meetings of the Committee.

Article 3

The office of Chairman of the Committee shall be held alternately for a term of one year by the ACP States and the Community.

Article 4

Meetings of the Committee shall be convened by the Chairman in accordance with the rules of procedure.

Article 5

In carrying out its duties, the Committee shall act by agreement between the ACP States and the Community.

Article 6

The Committee shall submit regular reports to the ACP-EEC Council of Ministers or to the ACP-EEC Committee of Ambassadors.

Article 7

The Committee shall adopt its rules of procedure.

Article 8

Regional economic groupings of ACP States carrying out activities falling within the scope of this Decision that are approved by the ACP-EEC Council of Ministers may send observers to meetings of the Committee.

Article 9

The Centre for the Development of Industry and the Technical Centre for Agricultural and Rural Cooperation may send observers to meetings of the Committee.

Article 10

The Committee shall adopt detailed arrangements for consultation of operators and organizations representing operators in the ACP States and the Community.

Article 11

The ACP States, the Member States and the Community shall, each to the extent that it is concerned, take the measures necessary to implement this Decision.

Article 12

This Decision shall enter into force on the day on which it is adopted.

Done at Brussels,

For the ACP-EEC Council of Ministers

The President

RULES OF PROCEDURE

of the Commodities Committee

Article 1

1. The Commodities Committee, hereinafter referred to as the "Committee", shall meet once a year at ministerial level and, where necessary, every six months at ambassador or expert level on dates to be decided by agreement between the ACP States and the Community.
2. The Committee shall also meet, at the request of either the Community or the ACP States and after consultation with the Chairman, on any other date at the level deemed most appropriate by the two parties.
3. There shall normally be at least two weeks notice of meetings of the Committee but the period of notice may be reduced to seven days in urgent cases.

Article 2

The Committee shall meet either at the places designated for ACP-EEC ministerial meetings, or at the office of the Council of the European Communities or at the office of the General Secretariat of the ACP States.

Article 3

1. The draft agenda for each meeting shall be drawn up by the Chairman and sent to other committee members at least two weeks before the meeting.

2. The agenda shall be adopted by the Committee at the start of each meeting. In cases of urgency the Committee may, at the request of the ACP States or the Community, decide to add items to the agenda notwithstanding the provisions of paragraph 1.
3. If the Committee is convened for urgent reasons under Article 1(3), the time-limit laid down in paragraph 1 may be reduced to seven days.

Article 4

The members of the Committee shall be designated by the ACP States and the Community respectively.

Article 5

The members of the Committee may be accompanied by officials to assist them.

They may be represented by persons designated by them.

Article 6

At the request of the ACP States or the Community, the Committee may exclude from meetings the observers from regional economic groupings of the ACP States, provided for in Article 9 of Decision No [] of

Article 7

The Committee may, by an ad hoc decision, invite representatives of ACP and/or EEC operators to take part in the Committee's work as observers with the right to speak for the purpose of discussing particular items requiring specific knowledge.

Article 8

Meetings of the Committee shall not be public.

The proceedings of the Committee shall be covered by the obligation of professional secrecy unless the Committee decides otherwise.

Article 9

Correspondence to the Committee shall be addressed to the Chairman via the office of the Secretariat of the ACP-EEC Council of Ministers.

Article 10

Unless a decision is taken to the contrary, the Committee shall work on the basis of documentation drawn up in Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish.

Article 11

The Committee's proceedings shall not be valid without the participation of at least seven representatives of the Member States of the Community, one representative of the Commission and eight representatives of the ACP States.

Article 12

The Committee shall report on its work to the ACP-EEC Council of Ministers or to the ACP-EEC Committee of Ambassadors.

Article 13

The secretariat and other services necessary for the work of the Committee shall be provided by the Secretariat of the ACP-EEC Council of Ministers.

Article 14

The Secretariat shall draw up the minutes of each meeting of the Committee.

Fiche d'impact sur les PME et l'emploi.

Aucun impact ni d'incidence sur l'emploi.

Fiche financière.

Aucun impact financier pour le budget communautaire.

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