



Brussels, 26.5.2014
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2014/0153 (NLE)

Proposal for a

COUNCIL DECISION

on a position to be taken by the European Union within the Sub-committee on Sanitary and Phytosanitary measures set up by the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, as regards the adoption of its Rules of Procedure

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

The Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part was signed on 26 June 2012, and has been provisionally applied since 1 March 2013 with Peru, and since 1 August 2013 with Colombia.

Article 103 of the Agreement establishes a Sub-committee on Sanitary and Phytosanitary Measures (the “SPS Sub-committee”), which shall ensure and monitor the implementation of Chapter 5 of the Trade Agreement, which relates to Sanitary and Phytosanitary measures, and consider any matter that could affect compliance with the provisions of this Chapter. The SPS Sub-committee shall adopt its working procedures at its first meeting.

The attached draft Council decision constitutes the proposal for a legal act approving the position to be taken by the European Union in the SPS Sub-committee, to adopt its Rules of Procedure.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES

The Rules of Procedure for the SPS Sub-committee have been previously discussed with Colombia and Peru and have been the subject of a preliminary agreement in the framework of the preparation of the first SPS Sub-committee for the implementation of the Agreement. These Rules of Procedure should be now submitted to the internal procedures of the Parties for the final agreement.

3. LEGAL ELEMENTS OF THE PROPOSAL

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 218(9) thereof, the Commission is submitting a proposal to the Council for a decision on establishing the position to be adopted on the Union’s behalf in the SPS Sub-committee set up by this Trade Agreement.

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THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 19 January 2009, the Council authorised the Commission to negotiate a multiparty trade agreement on behalf of the European Union and its Member States with the Member countries of the Andean Community.
- (2) These negotiations have been concluded and the Trade Agreement between the European Union its Member States, of the one part, and Colombia and Peru, of the other part was signed on 26 June 2012.
- (3) Pursuant to its Article 330(3), the Trade Agreement has been provisionally applied with Peru since 1 March 2013, and with Colombia since 1 August 2013, subject to its conclusion at a later date.
- (4) Article 103 of the Agreement establishes a Sub-committee on Sanitary and Phytosanitary Measures (“SPS Sub-committee”), which shall ensure and monitor the implementation of Chapter 5 of the Trade Agreement, relating to Sanitary and Phytosanitary measures, and consider any matter that could affect compliance with the provisions of this Chapter. The SPS Sub-committee shall adopt its working procedures at its first meeting.
- (5) The Union should determine the position to be taken as regards the adoption of the Rules of Procedure of the SPS Sub-committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken by the European Union in the Sub-committee on Sanitary and Phytosanitary measures (“SPS Sub-committee”), set up by the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, as regards the adoption of the Rules of Procedure of the SPS Sub-committee, shall be based on the draft Decision of the EU-Colombia-Peru SPS Sub-committee annexed to this Council Decision.

Minor changes to the draft Decision may be agreed to by the representatives of the Union in the SPS Sub-committee, without further decision of the Council.

Article 2

After its adoption, the Decision of the EU-Colombia-Peru SPS Sub-committee shall be published in the Official Journal of the European Union.

Article 3

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

Done at Brussels,

*For the Council
The President*