

**DECISION No 1/2003 OF THE EU-CHILE ASSOCIATION COUNCIL**  
**of 27 March 2003**  
**concerning the adoption of the rules of procedure of the Association Council, the Association**  
**Committee and the Special Committees**

(2003/255/EC)

THE EU-CHILE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part (hereinafter referred to as the Agreement), signed in Brussels on 18 November 2002, and in particular Article 4(2), Article 6(3) and Article 7(3) thereof,

Whereas the Association Council shall establish its own rules of procedure, as well as those of the Association Committee and of the Special Committees,

HAS DECIDED AS FOLLOWS:

*Article 1*

The rules of procedure of the Association Council are established as set out in the Annex. The rules of procedure of the Association Committee and of the Special Committees are established as set out in Appendix I and Appendix II respectively.

*Article 2*

This Decision shall enter into force on 27 March 2003.

Done at Brussels, 27 March 2003.

*For the Association Council*  
*The President*  
A. GIANNITSIS

\_\_\_\_\_

## ANNEX

**RULES OF PROCEDURE OF THE ASSOCIATION COUNCIL**

**set up by the Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part**

*Article 1***Chair**

The Association Council shall be chaired alternately for periods of 12 months by a member of the Council of the European Union and by the Minister of Foreign Affairs of Chile. The first period shall begin on the date of the first Association Council meeting and end on 31 December of the same year.

*Article 2***Meetings**

1. The Association Council shall meet at ministerial level at regular intervals, not exceeding a period of two years, and extraordinarily whenever circumstances so require, if the Parties so agree.
2. Each session of the Association Council shall be held at a date and place agreed by both Parties.
3. The meetings of the Association Council shall be convened jointly by the Secretaries of the Association Council.

*Article 3***Representation**

1. The members of the Association Council may be represented if unable to attend.
2. A member wishing to be represented shall notify the Chairman of the Association Council of the name of his or her representative before the meeting at which he or she is to be so represented.

The representative of a member of the Association Council shall exercise all the rights of that member.

*Article 4***Delegations**

The members of the Association Council may be accompanied by officials. Before each meeting, the Chairman of the Association Council shall be informed of the intended composition of the delegation of each Party.

*Article 5***Secretariat**

An official of the General Secretariat of the Council of the European Union and an official of the Ministry of Foreign Affairs of Chile shall act jointly as Secretaries of the Association Council.

*Article 6***Documents**

Where the deliberations of the Association Council are based on written supporting documents, such documents shall be numbered and circulated as documents of the Association Council by the two Secretaries.

*Article 7***Correspondence**

1. All correspondence addressed to the Association Council shall be forwarded to its Secretaries.
2. The two Secretaries shall ensure that correspondence is forwarded to the Chairman of the Association Council and, where appropriate, circulated as documents referred to in Article 6 to its other members. Correspondence circulated shall be sent to the Secretariat-General of the Commission, the Permanent Representations of the Member States of the European Union and the diplomatic mission to the European Union of the Republic of Chile in Brussels.

3. Correspondence from the Chairman of the Association Council shall be sent to the recipients by the two Secretaries and, where appropriate, circulated as documents referred to in Article 6 to its other members at the addresses indicated in paragraph 2.

#### *Article 8*

##### **Agenda for the meetings**

1. A provisional agenda for each meeting shall be drawn up by the Secretaries of the Association Council on the basis of suggestions made by the Parties. It shall be forwarded by the Secretaries to the addressees referred to in Article 7(2) no later than 15 days before the beginning of the meeting.

2. The provisional agenda shall include the items for which a request for inclusion in the agenda has been received by either of the two Secretaries no later than 21 days before the beginning of the meeting. Such items shall, however, not be included in the provisional agenda unless the supporting documents have been forwarded to the Secretaries no later than the date of dispatch of the provisional agenda.

3. The agenda shall be adopted by the Association Council at the beginning of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.

4. With the agreement of the Parties, the time limits specified in paragraph 1 may be shortened in order to take account of the requirements of a particular case.

#### *Article 9*

##### **Minutes**

1. Draft minutes of each meeting shall be drawn up jointly by the two Secretaries as soon as possible.

2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:

- (a) the documents submitted to the Association Council;
- (b) any statement that a member of the Association Council has asked to be entered;
- (c) the decisions taken, recommendations made, statements agreed upon and conclusions adopted on specific items.

3. The minutes shall also include a list of the members of the Association Council or their representatives who took part in the meeting and a list of the members of the delegations accompanying them.

4. The minutes shall be approved in writing by the Parties within three months of the date of the meeting. Once approved, two authentic copies of the minutes shall be signed by the two Secretaries and one original copy shall be filed by each Party. A copy of the minutes shall be forwarded to each of the addressees referred to in Article 7(2).

#### *Article 10*

##### **Decisions and recommendations**

1. The Association Council shall adopt decisions and recommendations by mutual agreement between the Parties.

2. In the period between meetings, the Association Council may adopt decisions or recommendations by written procedure if the Parties so agree. A written procedure shall consist of an exchange of notes between the two Secretaries, acting in agreement with the Parties.

3. Decisions and recommendations of the Association Council within the meaning of Article 5 of the Agreement shall be entitled 'Decision' and 'Recommendation' respectively, and followed by a serial number, the date of their adoption and a description of their subject. Each decision shall specify the date of its entry into force.

4. Decisions and recommendations of the Association Council shall be authenticated by the two secretaries and two authentic copies signed by the Heads of Delegation of the two Parties.

5. Decisions and recommendations shall be forwarded to each of the addressees referred to in Article 7(2) as documents of the Association Council.

#### *Article 11*

##### **Publicity**

1. Unless otherwise decided, meetings of the Association Council shall not be public.

2. Each Party may decide on the publication of the decisions and recommendations of the Association Council in its respective official publication.

*Article 12***Languages**

1. The official languages of the Association Council shall be the official languages of the Parties.
2. Unless otherwise decided, the Association Council shall normally base its deliberations on documentation and proposals prepared in the languages referred to in paragraph 1.

*Article 13***Expenses**

1. Each Party shall meet any expenses incurred as a result of its participation in the meetings of the Association Council, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.
2. Expenditure in connection with the practical organisation of meetings, interpreting at meetings, translation and reproduction of documents shall be borne by the Party hosting the meeting.

*Article 14***Association Committee**

1. The Association Committee has been established in Article 6 of the Agreement for the purposes of assisting the Association Council in the performance of its duties and of taking on the responsibility for the general implementation of the Agreement.
2. The Committee shall be composed of representatives of the members of the Council of the European Union and representatives of the Commission of the European Communities, on the one hand, and of representatives of the Government of Chile, on the other, normally at senior official level, having regard to Article 6(1), Article 54(1) and Article 193(1) of the Agreement and without prejudice to its Article 89(3).
3. In addition to performing the specific tasks conferred upon it by the Agreement, the Association Committee shall prepare the meetings and deliberations of the Association Council, monitor implementation of the decisions and recommendations of the Association Council where appropriate and, in general, ensure continuity of the Association relationship and the proper functioning of the Agreement. It shall consider any matter referred to it by the Association Council as well as any other matter which may arise in the course of day-to-day implementation of the Agreement.
4. In cases where the Agreement refers to possible consultation, such consultation may take place within the Association Committee. This consultation may continue in the Association Council if the two Parties so agree, except where otherwise provided in the Agreement.
5. The rules of procedure of the Association Committee are attached to these rules of procedures as Appendix I. These rules are without prejudice to any special provisions of the Agreement.

*Article 15***Special Committees**

1. The Association Council shall be assisted in the performance of its duties by the Special Committees established in the Agreement. The rules of procedure of these Special Committees are without prejudice to any special provisions of the Agreement. The rules of procedure of the Special Committees are attached to these rules of procedures as Appendix II.
  2. Without prejudice to Article 193 of the Agreement, the Association Council may decide to set up other Special Committees in accordance with Article 7(2) of the Agreement. The rules of procedures of these Special Committees shall be adopted by the Association Council.
-

*Appendix I*

**RULES OF PROCEDURE OF THE ASSOCIATION COMMITTEE**  
**set up by the Agreement establishing an Association between the European Community and its Member States,**  
**of the one part, and the Republic of Chile, of the other part**

*Article 1***Chair**

1. The Association Committee shall be chaired alternately for periods of 12 months by an official of the Commission of the European Communities, on behalf of the Community and its Member States, and by an official of the Chilean Government, at senior level.
2. The first period shall begin on the date of the first Association Council meeting and end on 31 December of the same year. For that period and thereafter for each 12-month period, the Association Committee shall be chaired by the Party holding the Chair in the Association Council.

*Article 2***Meetings**

1. The Association Committee shall meet once a year or when circumstances so require, with the agreement of both Parties. If both Parties agree, meetings of the Association Committee may be held by video or teleconference.
2. The meetings of the Association Committee shall be convened jointly by both Secretaries at a date and place agreed by both Parties.

*Article 3***Delegations**

Before each meeting, the Chairman of the Association Committee shall be informed of the intended composition and the Head of Delegation of each Party.

*Article 4***Secretariat**

1. An official of the European Commission and an official of the Ministry of Foreign Affairs of Chile, shall act jointly as Secretaries of the Association Committee.
2. All correspondence with the Chairman of the Association Committee provided for in these rules of procedure shall be forwarded to its Secretaries and the Secretaries and the Chairman of the Association Council and, where appropriate, to the members of the Association Committee.

*Article 5***Publicity**

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

*Article 6***Agenda for the meetings**

1. A provisional agenda for each meeting shall be drawn up by the Secretaries of the Association Committee. It shall be forwarded to the Chairman and Secretaries of the Association Council as well as to the members of the Association Committee no later than 15 days before the beginning of the meeting.
2. The provisional agenda shall include the items in respect of which the Chairman has received a request for inclusion in the agenda no later than 21 days before the beginning of the meeting. Such items shall, however, not be included in the provisional agenda unless the supporting documents have been forwarded to the Secretaries no later than the date of dispatch of the provisional agenda.
3. The agenda shall be adopted by the Association Committee at the beginning of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.
4. The Association Committee may ask experts to attend its meetings in order to provide information on particular subjects.
5. The Chairman may, in agreement with the Parties, shorten the periods specified in paragraphs 1 and 2 in order to take account of the requirements of a particular case.

*Article 7***Minutes**

1. Draft minutes of each meeting shall be drawn up jointly by the two Secretaries as soon as possible.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
  - (a) the documents submitted to the Association Committee;
  - (b) any statement that a member of the Association Committee has asked to be entered;
  - (c) the decisions taken, recommendations made, statements agreed upon and conclusions adopted on specific items.
3. The minutes shall also include a list of the members of the Association Committee or their representatives who took part in the meeting.
4. The minutes shall be approved in writing by the Parties within two months of the date of the meeting. Once approved, two authentic copies of the minutes shall be signed by the two Secretaries and one original copy shall be filed by each Party. A copy of the minutes shall be forwarded to the Chairman and the Secretaries of the Association Council, the members of the Association Committee and the diplomatic mission to the European Union of the Republic of Chile in Brussels.

*Article 8***Decisions and Recommendations**

1. Where the Association Committee is empowered under the Agreement to adopt decisions or recommendations, such acts shall be entitled 'Decision' or 'Recommendation' respectively, and followed by a serial number, the date of their adoption and a description of their subject. Each decision shall specify the date of its entry into force.
2. Where the Association Committee takes a decision, Articles 10, 11 and 12 of the rules of procedures of the Association Council shall apply *mutatis mutandis*.
3. Decisions and recommendations of the Association Committee shall be forwarded to the addressees referred to in Article 4(2).

*Article 9***Expenses**

1. Each Party shall meet any expenses incurred as a result of its participation in the meetings of the Association Committee, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.
2. Expenditure in connection with the practical organisation of meetings and reproduction of documents shall be borne by the Party hosting the meeting.
3. Expenditure in connection with interpreting at meetings and translation of documents into or from Spanish and English shall be borne by the Party hosting the meeting. Interpreting and translation into or from the other official languages of the Parties shall be borne by the Community.

*Article 10***Functions under other Agreements**

1. The Association Committee shall replace the Joint Committee established in Article 35(1) of the Framework Agreement signed on 21 June 1996.
  2. The Steering Committee established in Article 6(b) of the Agreement on scientific and technological cooperation between the European Community and the Republic of Chile signed on 23 September 2002, shall refer to the Association Committee referred to in Article 54 of the Association Agreement.
  3. The Joint Follow-up Group established by Article 9 of the Agreement between the Republic of Chile and the European Community of 24 November 1998 on precursors and chemical substances frequently used for the illicit manufacture of narcotic drugs and psychotropic substances shall report to the Association Committee.
-

*Appendix II*

**RULES OF PROCEDURE OF THE SPECIAL COMMITTEES**  
**set up by the Agreement establishing an Association between the European Community and its Member States,**  
**of the one part, and the Republic of Chile, of the other part**

*Article 1***Chair**

Unless otherwise specified in the Agreement, the meetings of the Special Committees shall be chaired alternately by a representative of the European Commission and by an official of the Chilean Government.

*Article 2***Meetings**

Unless otherwise specified in the Agreement, the Special Committees shall meet upon request of either Party at a date and place agreed in advance between the Parties.

*Article 3***Delegations**

Before each meeting, the Chairman of the Special Committee shall be informed of the intended composition and the Head of Delegation of each Party.

*Article 4***Secretariat**

1. An official of the European Commission, on the one hand, and an official of the Government of Chile, on the other, shall act jointly as Secretaries of the Special Committees.
2. All correspondence with the Chairmen of the Special Committees shall be forwarded to the Secretaries of the Special Committees and to the Secretaries and the Chairman of the Association Committee and, where appropriate, to the members of the Association Committee.

*Article 5***Documents**

Where the deliberations of the Special Committees are based on written supporting documents, such documents shall be numbered and circulated as documents of the Special Committees by the two Secretaries.

*Article 6***Publicity**

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

*Article 7***Agenda for the meetings**

1. A provisional agenda for each meeting shall be drawn up by the Secretaries of the Special Committees no later than 30 days before the meeting, together with the supporting documents. The agenda shall be forwarded to the Chairman, Secretaries and members of the Association Committee no later than 15 days before the beginning of the meeting. The agenda shall be adopted by the Special Committees at the beginning of each meeting. Items not on the provisional agenda may be added with the agreement of both Parties.
2. With the agreement of the Parties the time limits specified in paragraph 1 may be shortened in order to take account of the requirements of a particular case.

*Article 8***Minutes**

1. Draft minutes of each meeting shall be drawn up jointly by the two Secretaries directly after the meeting.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
  - (a) the documents submitted to the Special Committee;
  - (b) any statements that a member of the Special Committee has asked to be entered;
  - (c) the recommendations made, statements agreed upon and conclusions adopted on specific items.
3. The minutes shall also include a list of members of the Special Committee or their representatives who took part in the meeting.
4. The minutes shall be approved in writing by both Parties within one month of the date of the meeting. Once approved, two authentic copies of the minutes shall be signed by the two Secretaries and one original copy shall be filed by each Party. A copy of the minutes shall be forwarded to the Chairman and the Secretaries of the Association Committee and to the members of the Special Committee.

*Article 9***Recommendations**

1. Where a Special Committee is empowered under the Agreement to adopt recommendations, such acts shall be entitled 'Recommendation', and followed by a serial number, the date of their adoption and a description of their subject.
2. Where a Special Committee adopts a recommendation, the provisions of Articles 10, 11 and 12 of rules of procedures of the Association Council shall apply *mutatis mutandis*.
3. Recommendations of the Special Committees shall be forwarded to the Secretaries of the Association Committee.

*Article 10***Expenses**

1. Each Party shall meet any expenses incurred as a result of its participation in the meetings of the Special Committees, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.
2. Expenditure in connection with the practical organisation of meetings and reproduction of documents shall be borne by the Party hosting the meetings.
3. Expenditure in connection with interpreting at meetings and translation of documents into or from Spanish and English shall be borne by the Party hosting the meeting. Interpreting and translation into or from the other official languages of the Parties shall be borne by the Community.

*Article 11***Reporting**

Special Committees shall report to the Association Committee.

---