EUROPEAN
COMMISSION

Brussels, 24.11.2022
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ANNEX

ANNEX

to the proposal for a

COUNCIL DECISION

on the position to be taken on behalf of the European Union in the Joint Committee established by the Agreement between the European Union and the Republic of Moldova on the Carriage of Freight by Road, as regards the rules of procedure of the Joint Committee and the continuation of the Agreement

Decision No 1/2022 of the Joint Committee established by the Agreement between the European Union and the Republic of Moldova on the Carriage of Freight by Road, as regards the rules of procedure of the Joint Committee and the continuation of the Agreement

of …

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Union and the Republic of Moldova on the carriage of freight by road[1] signed on 29 June 2022, and in particular Article 6(2),(5) and(6) thereto,

Whereas:

(1) As set out in Article 5(1) of the Agreement between the European Union and the Republic of Moldova on the carriage of freight by road (hereafter "the Agreement"), the Agreement is to apply until 31 March 2023.

(2) As set out in Article 6(2) of the Agreement, the Joint Committee is to be convened at the latest three months before the expiry of the Agreement in order to assess and decide the need for the continuation of the Agreement, including its duration.

(3) The monitoring of the Agreement has shown that it has provided benefits in terms of trade for both the European Union and the Republic of Moldova, and that the increase of road transport services has also been beneficial to road transport operators of both parties.

(4) The Agreement has allowed the Republic of Moldova to start redirecting its trade towards the European Union and has therefore contributed to the progressive integration of the Moldovan economy into the western economy. Together with a comparable road transport agreement signed with Ukraine, it has also eased the export of Ukrainian goods, contributing to the Solidarity Lanes.

(5) The prolongation of the Agreement should be understood as also contributing to the reconstruction of Ukraine beyond Russia's war of aggression against Ukraine.

(6) It seems therefore appropriate to prolong the Agreement until 31 December 2025.

(7) As set out in Article 6(6) of the Agreement, the Joint Committee is to adopt its rules of procedure.

(8) Therefore the rules of procedure as set out in the Annex to this Decision should be adopted,

HAS ADOPTED THIS DECISION:

Article 1

Continuation of the Agreement

The Agreement between the European Union and the Republic of Moldova on the Carriage of Freight by Road is hereby prolonged until 31 December 2025.

[1] OJ L 181, 7.7.2022, p. 4.

Article 2

Rules of procedure

The rules of procedure of the Joint Committee, as set out in the Annex, are hereby adopted.

Article 3

Entry into force

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

Done at …,

For the Joint Committee
The Co-chairs

ANNEX

Rules of procedure of the Joint Committee in accordance with Article 6(6) of the Agreement between the European Union and the Republic of Moldova on the carriage of freight by road

Article 1
Heads of delegation

1. The Joint Committee shall be composed of representatives of the Parties. Each party shall appoint the Head and, where necessary, Deputy Head of its delegation. The Head of Delegation may be replaced by the Deputy Head or by a designee for a particular meeting.

2. The Joint Committee shall be chaired in turn by a representative of the European Union and a representative of the Republic of Moldova. The Head of the relevant delegation, or in its absence, the Deputy Head or the designee appointed to replace them shall act as chair.

Article 2
Meetings

1. The Joint Committee shall meet as and when necessary. Either Party may request the convening of a meeting. The Joint Committee shall also be convened at the latest three months before the expiry of the Agreement, in order to assess and decide the need for the continuation of this Agreement in accordance with its Article 5(2).

2. The Joint Committee shall hold meetings face-to-face or via other means (e.g. conference calls or video conferences).

3. Meetings shall take place, as much as possible, in an alternated way between a place in a European Union Member State and the Republic of Moldova, unless agreed otherwise by the Parties.

4. The working language shall be English.

5. Once the date and the place of the meetings have been agreed between the Parties, meetings shall be convened by the European Commission for the European Union and by the Ministry in charge of road transport for the Republic of Moldova.

6. Except as otherwise agreed by the Parties, the meetings of the Joint Committee shall not be public. If necessary, a press release may be drafted by mutual agreement at the end of the meeting.

Article 3
Delegations

1. Prior to each meeting, the Heads of Delegation shall inform each other of the intended composition of their delegations for the meeting.

2. Road transport industry stakeholder representatives may be invited to attend meetings or parts of the meetings as observers, if the Joint Committee so agrees by consensus.

3. The Joint Committee may invite, if so agreed by consensus, other interested parties or experts to attend its meetings or parts thereof in order to provide information on particular subjects.

4. Observers shall not take part in the decision-making process of the Joint Committee.

Article 4
Secretariat

An official of the European Commission services and an official of the Ministry in charge of road transport of the Republic of Moldova shall act jointly as secretaries of the Joint Committee.

Article 5
Agenda of the meetings

1. The Heads of Delegation shall establish the provisional agenda of each meeting by mutual agreement. The provisional agenda shall be transmitted by the secretaries to the members of the delegations at the latest fifteen days before the date of the meeting.

2. The agenda shall be adopted by the Joint Committee at the beginning of each meeting. Items other than those appearing on the provisional agenda may be included in the agenda if the Joint Committee so agrees.

3. The Heads of Delegation may shorten the time limit specified in paragraph 1 in order to take account of the requirements or urgency of a particular matter.

Article 6
Minutes

1. Draft Minutes of each Joint Committee meeting shall be drawn up after each meeting. They shall indicate the items discussed, and decisions adopted.

2. Within one month following the meeting, the draft Minutes shall be submitted by the hosting Head of Delegation to the other Head of Delegation, via the Joint Committee secretaries, for approval by written procedure.

3. When approved, the Minutes shall be signed in duplicate by the Heads of Delegation and one original copy shall be filed by each of the Parties. The Heads of Delegation may decide that signing and exchanging electronic copies satisfies this requirement.

4. The Minutes of the Joint Committee meetings shall be public unless otherwise requested by one of the Parties.

The Heads of Delegation may shorten the time limit specified in paragraph 2 and agree on a date as regards the approval specified in paragraph 3 in order to take account of the requirements or urgency of a particular matter.

Article 7
Written procedure

Where necessary and duly motivated, decisions of the Joint Committee may be adopted by written procedure, in accordance with Article 6(5) of the Agreement. To that end, the Heads of Delegation shall exchange the draft measures on which the opinion of the Joint Committee

is requested, which may then be confirmed by exchange of correspondence. The Parties may however request that the Joint Committee be convened to discuss the matter.

Article 8
Deliberations

1. The Joint Committee shall take decisions on the basis of consensus of the Parties.
2. The decisions of the Joint Committee shall be entitled 'Decision' and followed by a serial number, by the date of their adoption and by a description of their subject.
3. The decisions of the Joint Committee shall be signed by the Heads of Delegation and attached to the Minutes.
4. The decisions adopted by the Joint Committee shall be implemented by the Parties in accordance with their own internal procedures.
5. The decisions adopted by the Joint Committee may be published by the Parties in their respective official publications. One original copy of the decisions shall be filed by each of the Parties.

Article 9
Working Groups

1. The Joint Committee may set up working groups to assist the Joint Committee in carrying out its duties. Terms of reference for a working group shall be approved by the Joint Committee in accordance with Article 6(5) of the Agreement and be included in an Annex to the decision setting up the working group.
2. The working groups shall be composed of representatives of the Parties.
3. The working groups shall work under the authority of the Joint Committee to which they shall report after each of their meetings. They shall not take decisions but may make recommendations to the Joint Committee.
4. The Joint Committee may at any time decide to abolish existing working groups, modify their terms of reference or establish new working groups to assist it in carrying out its duties.

Article 10
Expenses

1. The Parties shall each defray the expenses related to their participation in the meetings of the Joint Committee and of working groups, both in respect of staff, travelling and subsistence expenditure and of postal and telecommunications costs.
2. Any other expenditure relating to the material organisation of meetings shall be borne by the Party hosting the meeting.

Article 11
Amendments of the Rules of Procedure

The Joint Committee may, at any time, amend these Rules of Procedure by a decision taken in accordance with Article 6(5) of the Agreement