COUNCIL DECISION (EU) 2023/718

of 28 March 2023

on the position to be taken on behalf of the Union within the Joint Committee established by the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part, as regards the adoption of a decision establishing a subcommittee on maritime cooperation and adopting its terms of reference

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) and Articles 207 and 209 in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part [1] ('the Agreement'), was concluded by the Union by means of Council Decision (EU) 2017/2414 [2] and entered into force on 1 March 2018.

(2) Pursuant to Article 48 of the Agreement, a Joint Committee has been established and is charged, inter alia, with the implementation of the Agreement. Pursuant to Article 48(3) of the Agreement, the Joint Committee is to set up specialised subcommittees that can assist it in the performance of its tasks. The Joint Committee determines the composition and duties of such subcommittees and how they function. The Union and the Philippines have both expressed interest in setting up a subcommittee on maritime cooperation in order to facilitate a dedicated dialogue on all aspects of maritime cooperation between the Union and the Philippines.

(3) The Joint Committee is to adopt by written procedure, in accordance with Article 8(2) of its rules of procedure, a decision establishing a subcommittee on maritime cooperation and adopting its terms of reference.

(4) It is appropriate to establish the position to be taken on the Union's behalf in the Joint Committee with regard to the adoption of a decision establishing a subcommittee on maritime cooperation and adopting its terms of reference, as that decision will be binding on the Union,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on the Union's behalf in the written procedure of the Joint Committee established pursuant to Article 48 of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part, as regards the adoption of a decision establishing a subcommittee on EU-Philippines maritime cooperation and adopting its terms of reference shall be based on the draft decision of the Joint Committee attached to this Decision.

2. Minor changes to the draft decision of the Joint Committee may be agreed to by the representatives of the Union without a further decision of the Council.

[1] OJ L 343, 22.12.2017, p. 3.

[2] Council Decision (EU) 2017/2414 of 25 September 2017 on the conclusion, on behalf of the Union, of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part (OJ L 343, 22.12.2017, p. 1).

Article 2

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

Done at Brussels, 28 March 2023.

For the Council
The President
E. BUSCH

DRAFT

DECISION No …/2023 OF THE EU-PHILIPPINES JOINT COMMITTEE

of …

establishing the Subcommittee on Maritime Cooperation and adopting its terms of reference

THE EU-PHILIPPINES JOINT COMMITTEE,

Having regard to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other, (hereinafter 'the Agreement') and in particular Article 48(3) thereof,

Whereas:

(1) Article 48(3) of the Agreement provides that the Joint Committee is to set up specialised subcommittees that can assist it in the performance of its tasks. The Joint Committee can determine the composition and duties of such subcommittees and how they function.

(2) The Joint Committee established a list of subcommittees and adopted their terms of reference by means of its Decision No 2/2020 of 28 January 2020.

(3) Upon further agreement of the Parties, both the list of subcommittees and the scope of each subcommittee can be amended.

(4) The establishment of a new specialised subcommittee on maritime cooperation would facilitate a dedicated dialogue on all aspects of the EU-Philippines maritime cooperation and promote the effective implementation of maritime cooperation programmes between the Philippines and the EU.

(5) The terms of reference set out in Annex B to Decision No 2/2020 of the Joint Committee of 28 January 2020 should also apply to the Subcommittee on Maritime Cooperation upon its establishment.

(6) In accordance with Article 8(2) of the Joint Committee's Rules of Procedure, the Joint Committee may take decisions by written procedure if both Parties so agree.

(7) In order for the Subcommittee on Maritime Cooperation to become operational in a timely manner, it is necessary to adopt this Decision by written procedure,

HAS ADOPTED THIS DECISION:

Article 1

Establishment of the Subcommittee on Maritime Cooperation and adoption of its terms of reference

1. The Subcommittee on Maritime Cooperation is hereby established as a specialised subcommittee of the Joint Committee.

2. The terms of reference set out in Annex B to Decision No 2/2020 of 28 January 2020 of the Joint Committee shall also apply to the Subcommittee on Maritime Cooperation.

Article 2

Amendment to the list of subcommittees

The list of subcommittees set out in Annex A of Decision No 2/2020 of the Joint Committee of 28 January 2020 is replaced by the list set out in the Annex to this Decision.

Done at …,

For the EU-Philippines Joint Committee
The Chair

ANNEX

EU-Philippines Joint Committee

Specialised Subcommittees

Subcommittee on Development Cooperation

Subcommittee on Trade, Investment and Economic Cooperation

Subcommittee on Good Governance, Rule of Law and Human Rights

Subcommittee on Maritime Cooperation