DECISIONS

COUNCIL DECISION (EU) 2020/245

of 17 February 2020

on the position to be taken on behalf of the European Union within the Partnership Council established by the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part, as regards the adoption of the Rules of Procedure of the Partnership Council and those of the Partnership Committee, subcommittees and other bodies set up by the Partnership Council, and the establishment of the list of Sub-Committees, for the application of that Agreement with the exception of Title II thereof

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, Article 100(2), Articles 207 and 209, in conjunction with the first subparagraph of Article 218(8) and Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part ([1]) ('the Agreement') was signed in Brussels on 24 November 2017 and has been applied provisionally since 1 June 2018.

(2) Articles 362 and 363 of the Agreement establish a Partnership Council and a Partnership Committee to facilitate the functioning of the Agreement.

(3) Pursuant to Article 362(4) of the Agreement, the Partnership Council is to establish its own rules of procedure and, pursuant to Article 363(4) of the Agreement, the Partnership Council determines in its rules of procedure the duties and functioning of the Partnership Committee.

(4) In order to ensure the effective functioning of the Agreement, the Rules of Procedure of the Partnership Council and those of the Partnership Committee should be adopted.

(5) In accordance with Council Decision (EU) 2018/104 ([2]), during the period of provisional application of the Agreement, the Partnership Council may only take decisions concerning matters which fall within the scope of the provisional application of the Agreement as provided for in that Decision.

(6) Pursuant to Article 364(2) of the Agreement, the Partnership Council may decide to set up subcommittees and other bodies in specific areas that can assist it in carrying out its duties. In addition, in its rules of procedure, the Partnership Council is to determine the composition, duties and functioning of such subcommittees and other bodies.

(7) The Partnership Council is to adopt the Rules of Procedure of the Partnership Council and those of the Partnership Committee, subcommittees and other bodies.

(8) It is appropriate to establish the position to be taken on the Union's behalf in the Partnership Council, as the Decision adopting the Rules of Procedure of the Partnership Council and those of the Partnership Committee, subcommittees and other bodies set up by the Partnership Council, and establishing the list of Sub-Committees, will be binding on the Union.

(9) The Union's position within the Partnership Council should therefore be based on the draft Decision of the Partnership Council.

([1]) OJ L 23, 26.1.2018, p. 4.

([2]) Council Decision (EU) 2018/104 of 20 November 2017 on the signing, on behalf of the Union, and provisional application of the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part (OJ L 23, 26.1.2018, p. 1).

(10) This Decision does not relate to the draft Decision of the Partnership Council in so far as it is to regulate the functioning of the bodies set up under the Agreement in the application of Title II of the Agreement, which contains provisions relating to the common foreign and security policy of the Union falling within the scope of Chapter 2 of Title V of the Treaty on European Union. The aim and content of those provisions is distinct from and independent of the aim and content of the other provisions of the Agreement to establish a partnership between the Parties. A separate decision relating to the draft Decision of the Partnership Council in so far as it is to regulate the functioning of the bodies set up under the Agreement in the application of Title II of the Agreement, will be adopted in parallel with this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on the Union's behalf within the Partnership Council established by the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part, as regards the adoption of the Rules of Procedure of the Partnership Council and those of the Partnership Committee, subcommittees and other bodies set up by the Partnership Council, and the establishment of the list of Sub-Committees, for the application of that Agreement with the exception of Title II thereof, shall be based on the draft Decision of the Partnership Council ([3]).

2. Minor technical changes to the draft Decision may be accepted by the representatives of the Union within the Partnership Council without further decision by the Council.

Article 2

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

Done at Brussels, 17 February 2020.

For the Council
The President
J. BORRELL FONTELLES

([3]) See document ST 15226/19 on http://register.consilium.europa.eu