JOINT COMMISSION OF THE FREE TRADE AGREEMENT BETWEEN CANADA AND THE REPUBLIC OF COLOMBIA

DECISION NO. 1
of 28 February 2014

The Joint Commission of the Free Trade Agreement between Canada and the Republic of Colombia, in accordance with Article 2001.8 of the Agreement, hereby approves the attached:

Rules and Procedures for the Joint Commission of the Free Trade Agreement between Canada and the Republic of Colombia

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Luis Felipe Quintero Suárez
For the Government of
the Republic of Colombia

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Luc Santerre
For the Government of
Canada

RULES AND PROCEDURES FOR THE JOINT COMMISSION OF THE FREE TRADE AGREEMENT BETWEEN CANADA AND THE REPUBLIC OF COLOMBIA

Article 1. Regular and Extraordinary Meetings

1.   The Commission shall normally meet once every year in a regular session convened by the Agreement's Coordinators. Unless the Parties otherwise agree, the Commission's meetings shall be held alternatively in the territory of the Parties, or by any technological means available.

2.   The Commission shall also meet in special sessions, which must be held within 30 days following the request of a Party, or on a date agreed by both Parties. That special session must be held in the territory of the other Party, or in any place agreed by the Parties.

3.   The Parties may agree to hold remote sessions of the Commission by the use of telecommunications.

Article 2. Chair of the Commission

The Commission shall be composed of the appointed ministers or their designees, in accordance with Article 2001.1 of the Agreement, and will be chaired by the Minister, or the designee, of the Party in whose territory the meeting takes place.

Article 3. Delegations

No later than five days before each session, each Party must notify, through their respective Coordinator of the Agreement, the intended composition of the delegation attending the meeting.

Article 4. Agenda for the Meetings of the Commission

1.   The Coordinators of the Agreement shall prepare a provisional agenda for each Commission meeting. The provisional agenda, along with the supporting documents for the meeting, shall be presented to the Parties no later than eight days prior to each meeting, unless the Parties agree differently.

2.   Items other than those appearing in the provisional agenda may be placed on the agenda, if the delegations so agree.

3.   The provisional agenda shall be revised and adopted by the Commission at the beginning of every meeting.

4.   The content of the issues appearing in the provisional agenda must be in compliance with Article 2001 of the Agreement.

5.   The Chairperson of the Commission may, upon agreement of the Parties, invite experts to attend the meeting, in order to provide information on specific subjects.

Article 5. Decisions and Minutes

1.   All decisions of the Commission shall be taken by consensus. Decisions of the Commission shall be entitled "Decision", followed by a serial number, and by the date of their adoption.

2.   All decisions adopted by the Commission are binding on the Parties. Where the subject matter of a decision is subject to the completion of the respective domestic procedures of the Parties, that decision shall be binding only after completion of the respective domestic procedures.

3.   Upon conclusion of a meeting of the Commission, minutes of the meeting summarizing the issues discussed in the meeting shall be prepared by the Party hosting the meeting and subsequently approved by the representatives of the Parties.

4.   The minutes shall, as a general rule, summarise each item on the agenda, specifying where applicable:

   (a)   the documents submitted to the Commission;

   (b)   any statement that a member of the Commission has asked to be entered; and

   (c)   the decisions adopted, recommendations made, statements agreed upon and conclusions adopted on specific items;

   (d)   the minutes shall also include a list of members of the Commission or their designees who took part in the meeting, a list of the members of the delegations accompanying them and a list of any observers or experts to the meeting.

5.   The Commission shall approve the minutes in writing within 30 calendar days of the date of the meeting. Once approved each of the Parties shall receive one original copy of these authentic documents.

6.   When the Commission adopts a decision during a meeting, it shall be incorporated as an annex to the minutes of the meeting.

Article 6. Publicity

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

2. When a Party submits information considered as confidential under its laws and regulations to the Commission, specialised committees, working groups or any other bodies, the other Party shall treat that information as confidential, *mutatis mutandis*, according to the rules described in Chapter 21 of the Agreement.

Article 7. Costs

1. The costs of the meetings of the Commission (excluding travel and lodging expenses of the delegations of the Parties) shall be borne by the Party on whose territory the meeting will take place, unless the Parties agree otherwise.

2. Expenditure in connection with interpretation at meetings and translation of documents between Spanish and English shall be borne by the Party hosting the meeting.

Article 8. Coordinators of the Agreement and Secretariat of the Commission

For the purposes of Article 2002 of the Agreement, Coordinators of the Agreement shall be:

For Canada:

        Director Trade Policy and Negotiations Division 1 TPE – Foreign Affairs, Trade and Development, or their successor

For Colombia:

        Director de Relaciones Comerciales – Ministerio de Comercio Industria y Turismo, or their successor

Coordinators appointed by the Parties shall act as Secretary of the Commission.

Article 9. Amendments

These rules and procedures shall only be amended by decision of the Commission.

Article 10. Languages

1. The official languages of the Commission shall be the official languages of the Parties.

2. Unless otherwise decided, the Commission shall normally base its deliberations on documentation and proposals prepared in the languages referred to in paragraph 1.