

DECISION OF THE EFTA- INDONESIA JOINT COMMITTEE

No. 1 of 2022

Adopted on 7 December 2022

ESTABLISHING THE RULES OF PROCEDURE OF THE EFTA-INDONESIA JOINT
COMMITTEE

THE EFTA- INDONESIA JOINT COMMITTEE,

HAVING regard to the Comprehensive Economic Partnership Agreement between the EFTA States on the one part and the Republic of Indonesia (Indonesia), on the other, signed in Jakarta, Indonesia, on 16 December 2018 (Agreement) and entered into force on 1 November 2021

HAVING regard to paragraph 5 of Article 10.1 of the Agreement, providing the mandate of establishing the EFTA-Indonesia Joint Committee (Joint Committee) rules of procedure;

DECIDES:

1. The Rules of Procedure of the Joint Committee as set out in the Annex to this Decision are established.
2. This Decision shall enter into force on the date of its adoption.
3. The EFTA Secretary-General shall deposit the text of this Decision with the Depositary.

RULES OF PROCEDURE OF THE EFTA-INDONESIA JOINT COMMITTEE

Article 1

Function

The functions of the Joint Committee are as provided for in paragraph 2 of Article 10.1 of the Agreement.

Article 2

Composition

1. The Joint Committee shall be composed of representatives of each Party, as provided for in paragraph 1 of Article 10.1 of the Agreement.
2. The Joint Committee shall be chaired jointly by a representative of the EFTA States and a representative of Indonesia as provided for in paragraph 5 of Article 10.1 of the Agreement.

Article 3

Secretariat of the Joint Committee

1. A representative of the EFTA Secretariat, acting on behalf of the EFTA States, and a representative of Indonesia shall act jointly as the Secretariat of the Joint Committee (Secretariat).
2. Notifications to the Joint Committee in accordance with the provisions of the Agreement shall be carried out through the Secretariat.

Article 4

Meetings

1. The Joint Committee shall meet within one year from the entry into force of the Agreement. Thereafter, it shall meet whenever necessary but normally every two years, as provided for in paragraph 5 of Article 10.1 of the Agreement.
2. Special meetings shall be held upon written request of a Party. Such a meeting shall take place within 30 days of receipt of the request, unless the Parties agree otherwise, as provided for in paragraph 6 of Article 10.1 of the Agreement.

3. Each Joint Committee meeting shall be held on a date mutually agreed by the Parties. The location of the regular meetings of the Joint Committee shall, unless the Parties agree otherwise, alternate between the EFTA Headquarters in Geneva and Indonesia. The Parties may agree to hold a Joint Committee meeting by video- or teleconference.
4. The Secretariat shall submit to the Parties the names and titles of the delegates from both sides before each Joint Committee meeting.
5. Representatives of the EFTA Secretariat may attend the Joint Committee meetings.
6. Unless the Joint Committee decides otherwise, its meetings shall not be open to the public.
7. If agreed by the Parties, meetings of sub-committees and working groups may be held in conjunction with the session of Joint Committee meetings.

Article 5

Agenda

A provisional agenda for each meeting shall be drawn up by the Secretariat after consultation with the Parties. It should be circulated to the Parties, no later than 14 days before the meeting, along with any other document submitted by a Party to the Secretariat related to the agenda items. The agenda shall be adopted by the Joint Committee at the beginning of each meeting. Additional items may be included in the agenda if the Parties so agree.

Article 6

Joint Reports

1. The Joint Report of the Joint Committee meeting shall, as a general rule, contain the following:
 - (a) a summary of the statements made by the Parties, in particular, those whose inclusion in the Joint Report has been especially requested;
 - (b) the decisions, recommendations and declarations adopted by the Joint Committee, as well as other conclusions reached on specific issues;
 - (c) all documentation formally presented by a Party and agreed to be included as annexes to the Joint Report; and
 - (d) a list of participants.
2. The Joint Report shall be drawn up by the Secretariat and circulated to the representatives of the Parties for approval. It should be approved in writing no later than three months after the date of the meeting. The approval may be provided through electronic means, if so agreed by the Parties. In such cases, the Secretariat shall distribute the proposed draft Joint

Report to all Parties by electronic mail. The proposed Joint Report shall be deemed adopted on the date the Secretariat receives the last declaration of approval of the Parties by electronic mail.

Article 7

Decisions and Recommendations

1. The Joint Committee shall adopt decisions and recommendations by consensus, as provided for in paragraph 4 of Article 10.1 of the Agreement.
2. The decisions and recommendations shall bear a number, the date of adoption and a title referring to their subject matter.
3. Each Party may publish the decisions and recommendations adopted by the Joint Committee
4. The Joint Committee may adopt its decisions or make its recommendations by written procedure, if so agreed by the Parties. In such cases, the Secretariat shall circulate the proposed draft decisions or recommendations for approval. The proposed draft decision or recommendation shall be deemed adopted on the date the Secretariat receives the last declaration of approval of the Parties.
5. The Joint Committee may adopt its decisions or make its recommendations by electronic means, if so agreed by the Parties. In such cases, the Secretariat shall distribute the proposed draft decision or recommendation to all Parties by electronic mail. The proposed decision or recommendation shall be deemed adopted on the date the Secretariat receives the last declaration of approval of the Parties by electronic mail. The Secretariat shall immediately inform the Parties of the date of adoption and transmit the adopted text, together with a certification of adoption.

Article 8

Sub-Committees and Working Groups

The Joint Committee may decide to establish sub-committees and working groups, as provided for in paragraph 3 of Article 10.1 of the Agreement. The sub-committees and working groups may establish their rules of procedure, if considered necessary.

Article 9

Confidentiality

The Joint Committee shall treat as confidential any information, which has been designated as confidential by the Party submitting the information, as provided for in paragraph 4 of Article 1.7 of the Agreement.

Article 10

Expenses

Expenses in connection with the organisation of a Joint Committee meeting shall be borne by the Party that hosts the meeting. In case of virtual meetings, each Party shall bear the costs of its participation.

Article 11

Official Language

The working language of the Joint Committee shall be English.

Article 12

Amendments

These rules of procedures may be amended by a decision of the Joint Committee.
