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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

DECISIONS

COUNCIL DECISION (EU) 2020/678

of 18 May 2020

on the position to be taken on behalf of the European Union in the CETA Joint Committee established under the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part, as regards the adoption of a decision setting out the administrative and organisational matters regarding the functioning of the Appellate Tribunal

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Decision (EU) 2017/37 ⁽¹⁾ provides for the signing on behalf of the European Union of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part ⁽²⁾ (‘the Agreement’). The Agreement was signed on 30 October 2016.
- (2) Council Decision (EU) 2017/38 ⁽³⁾ provides for the provisional application of parts of the Agreement, including the establishment of the CETA Joint Committee. The Agreement has been provisionally applied since 21 September 2017.
- (3) Pursuant to Article 26.3.1 of the Agreement, the CETA Joint Committee is to, for the purpose of attaining the objectives of the Agreement, have the power to make decisions in respect of all matters when the Agreement so provides.
- (4) Pursuant to Article 26.3.2 of the Agreement, the decisions made by the CETA Joint Committee are to be binding on the Parties, subject to the completion of any necessary internal requirements and procedures, and the Parties are to implement them.
- (5) In accordance with Article 8.28.7 of the Agreement, the CETA Joint Committee is to adopt a decision setting out the administrative and organisational matters regarding the functioning of the Appellate Tribunal.
- (6) It is therefore appropriate to establish the position to be taken on the Union’s behalf in the CETA Joint Committee on the basis of the draft decision of the CETA Joint Committee on the Appellate Tribunal in order to ensure the effective implementation of the Agreement,

⁽¹⁾ Council Decision (EU) 2017/37 of 28 October 2016 on the signing on behalf of the European Union of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1).

⁽²⁾ OJ L 11, 14.1.2017, p. 23.

⁽³⁾ Council Decision (EU) 2017/38 of 28 October 2016 on the provisional application of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1080).

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the European Union in the CETA Joint Committee as regards the adoption of a decision setting out the administrative and organisational matters regarding the functioning of the Appellate Tribunal shall be based on the draft decision of the CETA Joint Committee ⁽⁴⁾.

Article 2

This Decision shall enter into force on the date of entry into force of the Agreement.

Done at Brussels, 18 May 2020.

For the Council
The President
G. GRLIĆ RADMAN

⁽⁴⁾ See document ST 6964/20 on <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2020/679**of 18 May 2020**

on the position to be taken on behalf of the European Union in the CETA Joint Committee established under the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part, as regards the adoption of a decision on the procedure for the adoption of interpretations in accordance with Articles 8.31.3 and 8.44.3(a) of CETA as an Annex to its Rules of Procedure

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Decision (EU) 2017/37 ⁽¹⁾ provides for the signing on behalf of the European Union of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part ⁽²⁾ ('the Agreement'). The Agreement was signed on 30 October 2016.
- (2) Council Decision (EU) 2017/38 ⁽³⁾ provides for the provisional application of parts of the Agreement, including the establishment of the CETA Joint Committee and the Committee on Services and Investment. The Agreement has been provisionally applied since 21 September 2017.
- (3) Pursuant to Article 26.3.1 of the Agreement, the CETA Joint Committee is to, for the purpose of attaining the objectives of the Agreement, have the power to make decisions in respect of all matters when the Agreement so provides.
- (4) Pursuant to Article 26.3.2 of the Agreement, the decisions made by the CETA Joint Committee are to be binding on the Parties, subject to the completion of any necessary internal requirements and procedures, and the Parties are to implement them.
- (5) Pursuant to Article 26.1.4(d) of the Agreement, the CETA Joint Committee is to adopt its own rules of procedure.
- (6) Pursuant to Article 26.2.1(b) of the Agreement, the Committee on Services and Investment is one of the specialised committees established by the Agreement.
- (7) Pursuant to Article 26.2.4 of the Agreement, the specialised committees are to set and modify their own rules of procedures, if they deem it appropriate.
- (8) Rule 14.4 of the Rules of Procedure of the CETA Joint Committee, as set out in Decision 001/2018 of the CETA Joint Committee of 26 September 2018, provides that unless otherwise decided by each specialised committee pursuant to Article 26.2.4 of the Agreement, the Rules of Procedure apply *mutatis mutandis* to the specialised committees and other bodies established under the Agreement.
- (9) In accordance with Articles 8.31.3 and 8.44.3(a) of the Agreement, where serious concerns arise as regards matters of interpretation that may affect investment, the Committee on Services and Investment may, on agreement of the Parties and after completion of their respective internal requirements and procedures, recommend to the CETA Joint Committee the adoption of interpretations of the Agreement. An interpretation adopted by the CETA Joint Committee is binding on the Tribunals established under Section F (Resolution of investment disputes between investors and states) of Chapter Eight (Investment) of the Agreement. The CETA Joint Committee may decide that an interpretation is to have binding effect from a specific date.

⁽¹⁾ Council Decision (EU) 2017/37 of 28 October 2016 on the signing on behalf of the European Union of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1).

⁽²⁾ OJ L 11, 14.1.2017, p. 23.

⁽³⁾ Council Decision (EU) 2017/38 of 28 October 2016 on the provisional application of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1080).

- (10) It is therefore appropriate to establish the position to be taken on the Union's behalf in the CETA Joint Committee on the basis of the draft decision of the CETA Joint Committee in order to ensure the effective implementation of the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the European Union in the CETA Joint Committee as regards the adoption of a decision on the procedure for the adoption of interpretations in accordance with Articles 8.31.3 and 8.44.3(a) of the Agreement as an Annex to its Rules of Procedure shall be based on the draft decision of the CETA Joint Committee ⁽⁴⁾.

Article 2

This Decision shall enter into force on the date of entry into force of the Agreement.

Done at Brussels, 18 May 2020.

For the Council
The President
G. GRLIĆ RADMAN

⁽⁴⁾ See document ST 6965/20 on <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2020/680**of 18 May 2020**

on the position to be taken on behalf of the European Union in the Committee on Services and Investment established under the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part, as regards the adoption of a code of conduct for Members of the Tribunal, Members of the Appellate Tribunal and mediators

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Decision (EU) 2017/37 ⁽¹⁾ provides for the signing on behalf of the European Union of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part ⁽²⁾ ('the Agreement'). The Agreement was signed on 30 October 2016.
- (2) Council Decision (EU) 2017/38 ⁽³⁾ provides for the provisional application of parts of the Agreement, including the establishment of the Committee on Services and Investment. The Agreement has been provisionally applied since 21 September 2017.
- (3) Pursuant to Article 26.2.4 of the Agreement, the Committee on Services and Investment may take decisions when the Agreement so provides.
- (4) In accordance with Article 8.44.2 of the Agreement, the Committee on Services and Investment is to adopt a decision on a code of conduct for Members of the Tribunal, Members of the Appellate Tribunal and mediators to be applied in disputes arising out of Chapter Eight (Investment) of the Agreement.
- (5) It is therefore appropriate to establish the position to be taken on the Union's behalf in the Committee on Services and Investment on the basis of the draft decision of the Committee on Services and Investment on a code of conduct in order to ensure the effective implementation of the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the European Union in the Committee on Services and Investment as regards the adoption of a code of conduct for Members of the Tribunal, Members of the Appellate Tribunal and mediators shall be based on the draft decision of the Committee on Services and Investment ⁽⁴⁾.

⁽¹⁾ Council Decision (EU) 2017/37 of 28 October 2016 on the signing on behalf of the European Union of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1).

⁽²⁾ OJ L 11, 14.1.2017, p. 23.

⁽³⁾ Council Decision (EU) 2017/38 of 28 October 2016 on the provisional application of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1080).

⁽⁴⁾ See document ST 6966/20 on <http://register.consilium.europa.eu>

Article 2

This Decision shall enter into force on the date of entry into force of the Agreement.

Done at Brussels, 18 May 2020.

For the Council
The President
G. GRLIĆ RADMAN

COUNCIL DECISION (EU) 2020/681**of 18 May 2020**

on the position to be taken on behalf of the European Union in the Committee on Services and Investment established under the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part, as regards the adoption of rules for mediation for use by disputing parties in investment disputes

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Decision (EU) 2017/37 ⁽¹⁾ provides for the signing on behalf of the European Union of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part ⁽²⁾ ('the Agreement'). The Agreement was signed on 30 October 2016.
- (2) Council Decision (EU) 2017/38 ⁽³⁾ provides for the provisional application of parts of the Agreement, including the establishment of the Committee on Services and Investment. The Agreement has been provisionally applied since 21 September 2017.
- (3) Pursuant to Article 26.2.4 of the Agreement, the Committee on Services and Investment may take decisions when the Agreement so provides.
- (4) In accordance with Article 8.44.3(c) of the Agreement, the Committee on Services and Investment is to adopt a decision on the rules for mediation for use by disputing parties in investment disputes.
- (5) It is therefore appropriate to establish the position to be taken on the Union's behalf in the Committee on Services and Investment on the basis of the draft decision of the Committee on Services and Investment on rules for mediation in order to ensure the effective implementation of the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the European Union in the Committee on Services and Investment as regards the adoption of rules for mediation for use by disputing parties in investment disputes shall be based on the draft decision of the Committee on Services and Investment ⁽⁴⁾.

Article 2

This Decision shall enter into force on the date of entry into force of the Agreement.

⁽¹⁾ Council Decision (EU) 2017/37 of 28 October 2016 on the signing on behalf of the European Union of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1).

⁽²⁾ OJ L 11, 14.1.2017, p. 23.

⁽³⁾ Council Decision (EU) 2017/38 of 28 October 2016 on the provisional application of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1080).

⁽⁴⁾ See document ST 6967/20 on <http://register.consilium.europa.eu>

Done at Brussels, 18 May 2020.

For the Council
The President
G. GRLIĆ RADMAN

COUNCIL DECISION (EU) 2020/682**of 19 May 2020****appointing an alternate member, proposed by the Italian Republic, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Italian Government,

Whereas:

- (1) On 10 December 2019, 20 January 2020, 3 February 2020 and 26 March 2020, the Council adopted Decisions (EU) 2019/2157 ⁽¹⁾, (EU) 2020/102 ⁽²⁾, (EU) 2020/144 ⁽³⁾ and (EU) 2020/511 ⁽⁴⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025.
- (2) An alternate member's seat has become vacant following the end of the term of office of Mr Francesco RUSSO,

HAS ADOPTED THIS DECISION:

Article 1

The following is hereby appointed as an alternate member to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025:

— Mr Domenico GIANNETTA, *Consigliere della Regione Calabria*.

Article 2

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

Done at Brussels, 19 May 2020.

For the Council
The President
G. GRLIĆ RADMAN

⁽¹⁾ Council Decision (EU) 2019/2157 of 10 December 2019 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 327, 17.12.2019, p. 78).

⁽²⁾ Council Decision (EU) 2020/102 of 20 January 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 20, 24.1.2020, p. 2).

⁽³⁾ Council Decision (EU) 2020/144 of 3 February 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 32, 4.2.2020, p. 16).

⁽⁴⁾ Council Decision (EU) 2020/511 of 26 March 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 113, 8.4.2020, p. 18).

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