

**DECISION OF THE JOINT COMMITTEE OF THE CENTRAL EUROPEAN FREE  
TRADE AGREEMENT**

**No. 4 /2010**

**Establishment of the Working Groups**

**Adopted on 12 November 2010**

The Joint Committee,

Having regard to the Agreement on Amendment of and Accession to the Central European Free Trade Agreement, CEFTA 2006, (hereinafter the "Agreement") done in Bucharest on 19 December 2006.

Hereby establishes, pursuant to Article 41.5 to the Agreement, the following Working Groups:

- Working Group on Trade in Services, and
- Working Group on Technical Barriers to Trade

The Terms of Reference of the Working Group on Trade in Services is attached to this Decision as Annex 1 and shall form an integral part of it.

The Terms of Reference of the Working Group on Technical Barriers to Trade is attached to this Decision as Annex 2 and shall form an integral part of it.

This decision shall take effect on the date of its adoption.

Adopted in Belgrade on 12 November 2010 in the presence of representatives of:

Republic of Albania

Bosnia and Herzegovina

Republic of Croatia

Republic of Macedonia

Republic of Moldova

Montenegro

Republic of Serbia

The United Nations Interim Administration Mission in Kosovo on behalf of Kosovo in accordance with the United Nations Security Council Resolution 1244.

## **Annex 1 to the Decision No. 4/2010**

### **Terms of Reference for the Working Group on Trade in Services**

#### **1. TASK**

The task of the Working Group on Trade in Services (hereinafter referred to as: Working Group) is to develop and broaden cooperation among CEFTA Parties, according to Articles 27 and 29 of the CEFTA Agreement. The working group shall provide the Joint Committee with the platform to potentially launch the negotiations in services within 2011.

#### **2. MEMBERSHIP**

**2.1.** Members of the Working Group are government officials from the CEFTA Parties (Albania, Bosnia and Herzegovina, Croatia, Macedonia, Moldova, Montenegro, Serbia and UNMIK/Kosovo).

**2.2.** The representative from each Party shall actively participate in performing the tasks and functions of this Working Group.

**2.3.** Internal or external persons may be invited to attend the meetings at the request of the Chair of the Working Group to provide advice or introduce the **best** practice where needed. They have no rights in decision making and can be asked to leave the meeting at any time by the Chair.

**2.4.** Recommendations for future actions will be made by consensus of all Working Group members. If the member is absent from the Working Group meeting, he/she shall communicate its position in writing within the period not longer than 20 working days from the date of the receipt of a request. If position is not communicated within the said period, it shall be deemed that the member concerned has no objection.

**2.5.** The member of the Working Group will cease to be a member if:

- Fails to attend 2 consecutive meetings without securing appropriate replacement,
- On the request of the Party

In cases referred to above, the CEFTA Party concerned shall nominate new member within one month and notify the Chair.

#### **3. CHAIRMANSHIP**

The Party currently acting as Chair in office shall chair the Working Group.

The responsibilities of Chair include:

- Scheduling meetings and notifying the members
- Inviting specialist to attend the meetings when required by members
- Guiding the meetings and other activities during chairing
- Ensuring all discussion items end with a decision, action or definite outcome

#### **4. MINUTES TAKING**

Person appointed by the Chair and representative of the CEFTA Secretariat will take notes and make draft minutes of the Working Group meetings.

#### **5. MEETINGS**

The Working Group shall meet as necessary but at least once per year.

#### **6. FUNCTION**

The specific functions of the Working Group are:

##### **(i) Cooperation in the field of trade in services**

- Exchange the information on significance and role of services in each CEFTA Party economy and on intraregional and overall trade in services.
- To review the quality and coverage of available trade in services statistics and propose appropriate solutions for improving its quality.
- To inform regularly on regulatory reform in services sectors on unilateral and multilateral basis and to promote intra regional cooperation between regulatory bodies, governmental agencies and professional associations in charge of services.
- To increase transparency of the CEFTA Parties policies, laws and regulations and administrative practices effecting services trade.
- To cooperate, assist each other and exchange views and experiences on legal reform to be adopted by the CEFTA Parties in the context of relevant EU integration process.
- To initiate the conduct of studies and analyses in regard to this terms of reference keeping in mind the interests and demands from the Working Group members.
- To take into consideration views of the business community.

##### **(ii) Explore possibilities for gradual liberalization of trade in services**

- To analyze the present level of liberalization.
- To assess the impacts of the regional services liberalization.
- To determine a potential road map and priorities/key sectors of services liberalization negotiations within the first half of 2011.
- To review and identify barriers to trade in the services sector domestic regulation and their impact on the market and propose appropriate measures and procedures to reduce and eliminate barriers.

- (iii) Administer the potential negotiations in trade in services
  - To facilitate negotiations on trade in services liberalization.

## **7. ACCOUNTABILITY AND REPORTING**

The Working Group shall prepare a 2 Year Action Plan and will annually report to the Joint Committee on:

- cooperation in the field of trade in services;
- potentials for launching negotiation of trade in services liberalization;
- identified barriers in services trade;
- areas and measures where coordinated action by the Parties is necessary

## **Annex 2 to the Decision No. 4/2010**

### **Terms of Reference for the Working Group on Technical Barriers to Trade**

#### 1. TITLE

The title of the group will be "CEFTA WORKING GROUP ON TECHNICAL BARRIERS TO TRADE".

#### 2. PURPOSE

To provide a consultative forum that can effectively address the issues of technical barriers to trade arising in regional trade among the CEFTA Parties and in particular dealing with the commitments spelled out in the Article 13 of the CEFTA 2006 Agreement.

#### 3. ESTABLISHMENT

The Working Group is established as a body of the CEFTA Subcommittee on NTBs and TBT on the initiative of the Albanian Chair of the Subcommittee (Work Programme of the Subcommittee on NTBs and TBT for 2010).

#### 4. MEMBERSHIP

4.1 Members of the Working Group are government officials from the CEFTA Parties (Albania, Bosnia and Herzegovina, Croatia, Macedonia, Moldova, Montenegro, Serbia and UNMIK/Kosovo).

4.2 The representatives from each of the Parties shall be able to cover the following areas of interest ranked as follows:

- technical regulations/conformity assessment,
- standardization
- accreditation,
- metrology,
- market surveillance.

4.3 Internal or external persons may be invited to attend the meetings at the request of the Chair of the Working Group to provide advice or introduce best practice where needed. They have no rights in decision making and can be asked to leave the meeting at any time by the Chair.

4.4 The Working Group will make recommendations. If a member is absent from the meeting they should communicate their position in writing.

4.5 The member of the group will cease to be a member if:

- He/she resigns from employment in the government;

- He/she fails to attend 3 consecutive meetings without providing apologies to the Chair and securing an appropriate replacement,
- On their own request.

## 5. CHAIRPERSON

The Chair will come from the CEFTA Party that currently chairs the CEFTA Subcommittee on NTBs and TBT.

Their responsibilities include:

- Scheduling meetings and notifying the members;
- Inviting specialists to attend the meetings when required by members;
- Ensuring all discussion items end with a decision, action or definite outcome,
- Organizing and reviewing the adoption of the agreed minutes by the end of each meeting.

## 6. MINUTES OF MEETINGS

One person appointed by the Chair and representative of the CEFTA Secretariat will take notes and draft minutes of the meetings of the Working Group.

## 7. MEETINGS

The meetings of the Working Group will be organized at least once a year as a parallel session to the regular meeting of the CEFTA Subcommittee on NTBs and TBT.

It may meet more frequently in independent meetings as circumstances require.

## 8. FUNCTION

The function of the Working Group is to identify and oversee the elimination of unnecessary technical barriers to trade in accordance with the Article 13.2 of the Agreement.

The specific functions of the Working Group are:

- To keep under review the achieved harmonization of technical regulations, standards and procedures for assessment of conformity with those of the EU, in accordance with the Article 13:3.b.
- To work further on finding ways in overcoming differences in the area of quality infrastructure and conclusions of agreement on mutual recognition of conformity assessment procedures, where appropriate, pursuant to Article 13.4 of the Agreement and Ministerial Conclusions of the third Joint Committee meeting
- To encourage the negotiations to conclude the plurilateral agreements among the Parties in the area of mutual recognition of conformity assessment

- To inform the Joint Committee in a timely manner on any notifications received by the CEFTA Parties on new technical regulations or standards prior to their adoption in accordance with the Article 13:3.b
- To enhance the symmetry in market surveillance systems among CEFTA Parties in order to establish rapid information and communication systems on dangerous products
- To join efforts in achieving full European (EA MLA) and international recognition of the national infrastructures for conformity assessment and accreditation
- To cooperate, assist each other and exchange views and experiences on priority EU technical legislation to be adopted by the CEFTA Parties in the context of their national EU approximation strategies and plans.
- To work on creating effective mechanisms for regulatory cooperation among CEFTA parties such as strengthening regional forums on good regulatory practice, equivalence in regulation, best practices in conformity assessment, etc.
- To improve technical cooperation and networking in all quality infrastructure disciplines (metrology, standardization, conformity assessment, accreditation and market surveillance)
- To initiate the conduct of studies and analyses in regard to this terms of reference keeping in mind the interests and demands from the Working Group members.
- To create a network of Enquiry points among CEFTA members in 2010 (i.e. WTO members to inform other CEFTA members on their national WTO Enquiry Point and non WTO members to appoint a contact point to serve as the CEFTA National Enquiry Point)
- To agree on information exchange mechanisms and notification procedures in the area of TBT in 2010.

## 9. ACCOUNTABILITY AND REPORTING

The agreed minutes from the meetings will be submitted to the Chair of the Subcommittee on NTBs and TBT to be integrated into the meetings of the Subcommittee.

The Chair of the Working Group will report on discussion and outcomes in the plenary session of the regular session of the Subcommittee.

The Working Group will prepare the annual report on reviewing and proposing measures for reducing and eliminating the TBT measures, based on inputs from the CEFTA Parties. This Report will be submitted to the Subcommittee on NTBs and TBT and will be an integral part of the Annual Report of the Subcommittee on NTBs and TBT to be presented at the Joint Committee meeting.