

**DECISION OF THE JOINT COMMITTEE OF THE CENTRAL EUROPEAN  
FREE TRADE AGREEMENT, CEFTA 2006**

**Decision No 5/2014**

**Adopted on 21 November 2014**

***Establishment of the Sub-Committee on Trade in Services  
and Amendment of the Decision no. 4/2010***

The Joint Committee,

Having regard to the Agreement on Amendment of and Accession to the Central European Free Trade Agreement done in Bucharest on 19 December 2006 (CEFTA 2006) and the Decision No. 4/2010 on the Establishment and Terms of Reference of the Working Groups;

With the objective to ensure the smooth implementation of the commitments undertaken in Chapter VI A on Services and with the goal of enhancing the intraregional trade in services;

Recognising the growing importance of services for our economies and the need to enhance and strengthen trade in services within CEFTA;

Hereby establishes, pursuant to Article 41, paragraph 5 of CEFTA 2006, the Sub-Committee on Trade in Services:

1. Terms of Reference for the Sub-Committee on Trade in Services shall be as follows:

The task of the Sub-Committee on Trade in Services (hereinafter referred to as Sub-Committee) is to strengthen and deepen the intra-regional cooperation in the field of trade in services by facilitating the implementation of the commitments stipulated in Articles 26–29 of the CEFTA 2006.

To this end, the Sub-Committee on Trade in Services shall:

- Coordinate, oversee and streamline the work of bodies established under this Sub-Committee;
- Monitor the progress on liberalisation of trade in services, including but not limited to negotiating the schedule of specific commitments and give directions or guidelines as necessary in order to finalise the process;
- Facilitate and supervise the implementation and application of Additional Protocol on Trade in Services;

- Exchange information on regulatory reform in services sectors; Promote intra-regional cooperation between regulatory bodies, governmental agencies and professional associations in charge of services;
- Identify, review and propose measures for elimination of barriers in trade in services among Parties;
- Coordinate the efforts of CEFTA Parties to increase transparency of their policies, laws and regulations and administrative practices affecting trade in services i.e. by encouraging CEFTA Parties to establish single point of information/enquiry;
- Act as a forum for exchange of experiences on adoption of the EU *Acquis* in the context of relevant EU integration process;
- Commission studies and analyses in order to fulfil the tasks of these terms of reference;
- Cooperate with other relevant regional and international structures with a view to deepen the regional cooperation in investment and trade in services.

2. The Subcommittee on Trade in Services shall consist of the following working bodies:

**(i) Negotiating Group on Trade in Services**

Objective: Ensure progressive liberalisation and mutual opening of the services markets of CEFTA Parties. The terms of reference are attached in the Annex 1 and form integral part of this Decision. Upon the completion of its task the Negotiation Group on Trade in Services will be abolished.

**(ii) Working Group on Trade in Services Statistics**

Objective: Improve the quality of international trade in services statistics across the CEFTA Region and harmonise the statistics with those of the European Union. The terms of reference are attached in the Annex 2 and form integral part of this Decision.

3. Members of the Sub-Committee will be senior civil servants responsible for the activities dealing with trade in services dealing with these issues in respective administrations
4. The Sub-Committee shall communicate on a regular basis with other CEFTA Structures in order to avoid duplication of efforts.
5. The Sub-Committee shall meet as necessary but at least once per year and shall report to the Joint Committee.

6. On the day this Decision enters into force the Decision No. 4/2010 is amended as follows:

- ✦ In second paragraph the word "Groups" is replaced with the word "Group" and the first indent is deleted;
- ✦ The third paragraph is deleted;
- ✦ The existing Annex 2 becomes Annex

This decision was adopted by all CEFTA Parties in the presence of their representatives, except by Bosnia and Herzegovina which made a reservation regarding (completion of) its internal procedure.

This decision enters into force on the date following the date of the receipt of the written communication (notice) with which Bosnia and Herzegovina confirms to the Chair in Office, that internal procedures for the adoption of this decision have been fulfilled.

Adopted in Skopje on 21 November 2014

## **Annex 1 to the Decision No.5/2014**

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

#### **1. TASK**

The task of the Negotiating Group (hereinafter referred to as Group) is to ensure progressive liberalisation and mutual opening of the services markets amongst CEFTA Parties in compliance with the Article 27 and 29 of the CEFTA 2006.

#### **2. MEMBERSHIP:**

- The members of the Negotiating Group are civil servants from CEFTA Parties with official mandate to negotiate the liberalization of trade in services;
- The representative from each Party shall actively participate in performing the tasks and functions of this Group;
- Internal or external persons may be invited to attend the meetings at the request of the Chair of the Negotiating Group to provide advice or introduce the best practice where needed. They can be asked to leave the meeting at any time by the Chair;
- The Chair may invite an independent expert to attend the meetings with the task to facilitate the negotiating process on liberalisation of trade in services.
- Recommendations for future actions will be made by consensus of all Group members. If the member is absent from the 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;
- The member of the Group will cease to be a member 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. FUNCTION**

Key functions of the Group are to:

- Negotiate the Schedule of Commitments on Trade in Services;
- Conclude the Additional Protocol on Trade in Services;

### **3. CHAIRMANSHIP**

The Party currently acting as Chair-in-Office shall chair the Negotiating 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 will take notes and make draft minutes of the Negotiating Group meetings.

### **5. MEETINGS**

The Negotiating Group shall meet quarterly respecting the following negotiating schedule:

- 1st and 2 round – business and professional services
- 3rd – tourism and environmental and recreational (minus audiovisual) services
- 4rd - communication and construction services
- 5th – distribution, education and health services
- 6th – finance, transport and audiovisual services

### **7. ACCOUNTABILITY AND REPORTING**

The Group shall report to the Sub-Committee on Trade in Services on progress achieved in negotiations on liberalisation of trade in services after each negotiating round.

## **Annex 2 to the Decision No.5/2014**

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

#### **1. TASK**

The task of the Working Group on Trade in Services Statistics (hereinafter referred to as Group) is to improve the quality of international trade in services statistics across the CEFTA Region and harmonise statistics with those of the European Union.

#### **2. MEMBERSHIP:**

- The members of the Working Group are civil servants from CEFTA Parties responsible for dealing with these issues in respective administrations
- The representative from each Party shall actively participate in performing the tasks and functions of this Group.
- 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 can be asked to leave the meeting at any time by the Chair.
- Recommendations for future actions will be made by consensus of all Group members. If the member is absent from the 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.
- The member of the 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. FUNCTION**

Main functions of the Group are (but not limited) to:

- Review the quality and coverage of available trade in services statistics in the region and propose appropriate solutions for improvements;
- Work on harmonising the principles of recording and measuring data related to trade in services according to the EU

- Identify priorities for further developing statistics for commonly agreed sectors;
- Identify needs of users of statistics for purposes of analysis and communicate it to the relevant compilers authorities;
- Set up a regular forum for exchange of experiences and needs between compilers of data and users of statistics;
- Identify needs in terms of further targeted technical assistance and undertake the regional trainings and exchange of best practices in order to improve the quality and uniformity of trade in statistics across the region;

#### **4. 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

#### **5. MINUTES TAKING**

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

#### **6. MEETINGS**

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

#### **7. ACCOUNTABILITY AND REPORTING**

The Working Group shall report to the Sub-Committee on Trade in Services on progress achieved.