



EU Domestic Advisory Group
under the EU-Japan Economic
Partnership Agreement

Rules of procedure of the EU Domestic Advisory Group created pursuant to the Trade and Sustainable Development chapter (Chapter 16 – Article 16.15) of the EU-Japan Economic Partnership Agreement (EPA)

1. Main functions and objectives of the EU Domestic Advisory Group (EU DAG)

- 1.1 The main purpose of the EU DAG is to express its views and opinions on the implementation of the trade and sustainable development issues within the scope of the EU-Japan Economic Partnership Agreement (EPA). The EU DAG shall be consulted by the EU-side Party and submit its opinions on its own initiative. It may submit its observations on the follow-up actions or measures following the Panel of Experts' final report to the Committee on Trade and Sustainable Development. The EU DAG shall seek information from the European Commission on matters related to sustainability commitments in the EPA, including the respect of ILO and environmental standards and related implementation concerns.

2. Composition and membership of the EU DAG

- 2.1 The EU DAG shall be composed of members¹ and permanent observers. The number of members shall be 12 (twelve), including 3 (three) members of the European Economic and Social Committee (EESC) and 9 (nine) members representing other European civil society organisations². Only the organisations acting as members will have the right to vote. The number of permanent observers shall not exceed the number of full members.
- 2.2 The members and the permanent observers of the EU DAG shall be appointed for a two-and-a-half-year term (aligned with the EESC mandate)³ with the possibility of renewal for individual members.
- 2.3 Following expiry of the mandate, the EU DAG shall stay in office as the acting body until the first meeting held under the new term.

¹ Whenever the term "EU DAG member(s)" is used, the text refers to the EU DAG members having the right to vote.

² The number of EU DAG members shall be reconsidered at the beginning of the second term.

³ As an exception, the first term will be of a different length to allow for alignment with the EESC mandate. The EU DAG's second term will consequently begin after the EESC renewal in October 2020.

- 2.4 A balanced representation of independent economic, social and environmental stakeholders, including employers, workers organisations, environmental groups and other relevant stakeholders shall be ensured. The members of the EU DAG shall be divided accordingly into three equal subgroups – business, labour and other organisations.
- 2.5 If there are more organisations in a subgroup than available seats, the organisations shall have a seat in the EU DAG according to a decision taken by the respective subgroup. Two organisations in a given subgroup may decide to share a seat according to a rotation system.
- 2.5.1 The organisations falling under the rotation system shall, before every meeting, inform the EU DAG secretariat which organisation will act as member.
- 2.5.2 The organisations that are part of a rotation system but are not acting as members may also attend the meeting.
- 2.6 Each organisation of the EU DAG may designate a principal and an alternate representative, in order to ensure the continuity of the work of the Domestic Advisory Group as well as the active participation of the organisations in the EU DAG meetings.
- 2.7 If a seat occupied by an EESC member becomes vacant, a new member will be appointed by the EESC according to its internal procedures.
- 2.8 If a seat occupied by a non-EESC member becomes vacant, a new member shall be appointed by DG TRADE after consultation with the members of the relevant subgroup, taking into account the need for balanced representation within the EU DAG.
- 2.9 In case of repeated and not justified absence or absence of activity of one of the organisations or of an EESC member in meetings and work of the EU DAG, the Chair will consult the remaining EU DAG members with regard to replacing the organisation or the EESC member in question with another one, belonging to the same subgroup.
- 2.10 Organisations belonging to a subgroup may agree on a rotation between members and permanent observers at the end of each mandate.

3. **Presidency of the EU DAG**

- 3.1 The EU DAG shall elect the Chair of the EU DAG by simple majority of its members for a two-and-a-half-year term (aligned with the EESC mandate)⁴. The EU DAG shall select its Chair from amongst its three subgroups on a rotational basis.

⁴ As an exception, the first term will be of a different length to allow for alignment with the EESC mandate. The second term will begin after the EESC renewal in October 2020.

- 3.2 The remaining two subgroups shall elect from among their members two Vice-Chairs (one from each subgroup) to substitute the Chair if needed and to coordinate the work of the Group together with the Chair during the mandate. The Chair shall accomplish his/her duties after consultation and in agreement with the Vice-Chairs.
- 3.3 For the purpose of external representation, when a balanced representation of the Presidency is needed, the Chair and the Vice-Chairs can be replaced by members of their subgroup.
- 3.4 At least one of the members of the Presidency (Chair and two Vice-Chairs) shall be a member of the EESC.
- 3.5 The Chair
- convenes the meetings of the EU DAG,
 - proposes the agenda of the meetings,
 - chairs the meetings and moderates discussions,
 - in coordination with the vice-Chairs represents the DAG in contacts with third parties, including the EU institutions,
 - co-chairs meetings with the Japanese DAGs.

4. **Additional observers and other participants**

- 4.1 Requests for participation by potential additional observers shall be made to the DAG Chair either directly or through the Secretariat. The DAG members will decide on authorisation for such organisations to participate as additional observers.
- 4.2 Under the authority of the Presidency, meetings of the EU DAG may be open to the EU civil society organisations that are not members or permanent observers of the EU DAG, in particular for specific discussions that would benefit from additional expertise. A list of additional participants, as proposed by the Presidency, shall be communicated to the DAG before the meeting.

5. **Quorum**

- 5.1 A quorum shall exist if more than half of the members of the EU DAG are present or represented and if at least one member representing each subgroup is attending. The quorum will be ascertained at the beginning of the meeting and will be considered valid until the end of the meeting.

6. **Voting procedure**

- 6.1 The EU DAG shall strive to take decisions by consensus. In case a vote is called for, a quorum will be re-ascertained, then decisions will be voted by a simple majority of those present and represented, provided that there is at least 1(one) member of each subgroup in the room. In the event of a tie, the Chair shall have a casting vote.

- 6.2 Votes shall be held in camera, unless otherwise agreed.
- 6.3 One organisation can delegate its vote to another one among the members of the same subgroup. One member can receive a maximum of one delegated vote. Members wishing to delegate their vote shall inform the Chair before the vote takes place.
- 6.4 If the number of appointed members of any subgroup is below 4 (four), the non-assigned votes of such subgroup shall be redistributed among the members of the same subgroup. Through the redistribution, one member organisation may not receive more than 1 (one) additional vote. Members wishing to use such an additional vote shall inform the Chair before the vote takes place.

7. **Frequency of meetings**

- 7.1 The EU DAG shall meet at least twice per year.
- 7.2 Additional meetings may be called by
- the Chair on his/her own initiative,
 - 1 (one) member of the EU DAG supported by at least 4 (four) other members,
 - the European Commission,
 - the Panel of Experts,
 - the Committee on Trade and Sustainable Development.

Requests for additional meetings shall be addressed to the Chair; the Secretariat will check with DG Trade the availability of financial means.

8. **Secretariat**

- 8.1 The Secretariat of the External Relations Section of the EESC shall act as Secretariat of the EU DAG. The main tasks of the Secretariat shall be to support the work of the EU DAG and its Chair and Vice-Chairs, to ensure publicity and communication of the work of the EU DAG and to liaise with the European Commission, the Committee on Trade and Sustainable Development and the Japanese DAGs.
- 8.2 The Secretariat shall prepare and send out to the EU DAG the official minutes of each EU DAG meeting. Differences in views expressed during meetings shall be reflected in the minutes. The minutes shall be sent before the next meeting and submitted to the EU DAG members and permanent observers for approval at the following meeting.
- 8.3 The Secretariat shall also be responsible for coordinating joint meetings of the EU and Japanese DAGs and shall facilitate inter-sessional contacts and cooperation between them.

9. Preparation of agenda for EU DAG meetings

9.1 Agendas of EU DAG meetings shall be drawn up and proposed by the Chair, after consultation with the Vice-Chairs, and sent out to the EU DAG members and permanent observers in due time before the EU DAG meeting. The EU DAG members and permanent observers may propose points to be included in the agenda. The Chair shall ensure a balanced representation of proposals for the EU DAG's agendas, in order to ensure the representation of the three subgroups. The Chair and Vice-Chairs identify the points to be discussed 'in camera'. The EU DAG may also take into account proposals provided by the European Commission or by the Committee on Trade and Sustainable Development.

9.2 Unless otherwise agreed, the agendas of the EU DAG meetings shall include a standing point on the participation of the European Commission. The European Commission is invited to provide the relevant experts.

10. EU DAG communications, opinions and other actions

10.1 The EU DAG may address communications and recommendations related to its mandate to the Committee on Trade and Sustainable Development, the Parties to the Agreement, the EU institutions, as well as to the Japanese DAGs or any other relevant body.

10.1 To prepare its communications or other documents, the EU DAG may appoint rapporteurs. It may consult academics, international organisations, independent experts or civil society organisations with relevant expertise that are not members or permanent observers of the EU DAG.

10.2 Unless otherwise decided, the EU DAG's communications, opinions and reports shall be public documents. They shall be available in the working languages of the EU DAG as defined at the beginning of the mandate.

10.3 The EU DAG may also publish other documents related to its work that are considered by the EU DAG to be suitable for public dissemination.

10.4 EU DAG recommendations, communications, opinions, reports and other documents will present the views of the DAG, which are reached either by consensus or by majority vote.

If a vote is called, minority positions can be included if representing the views of a whole subgroup, at the request of that subgroup. The minority position will include a reasoning for such diverging views.

10.5 The EU DAG may organise other activities, which it considers relevant, such as workshops or seminars, including in partnership with other institutions or organisations.

11. Relations with the European Commission and other EU institutions

- 11.1 The Commission shall be systematically invited to participate in EU DAG meetings with a view to participate in discussions or to make presentations on specific subjects but shall not be involved in decision-making.
- 11.2 Depending on the agenda, representatives of other EU and international institutions may be invited.
- 11.3 The EU DAG shall update the European Parliament and the Council's relevant committees, in their own right, on their work programme on a regular basis.
- 11.4 The Commission will inform the EU DAG in a timely manner on any issue that pertains to the work of the DAG

12. Financing and logistics of the EU DAG meetings

- 12.1 The financial aspects of the operation of the EU DAG (namely transport, accommodation, logistics, interpretation and catering) for its own meetings and for participation of its members and permanent observers in other meetings will be agreed by the European Commission and the European Economic and Social Committee. In defining arrangements related to logistics, sustainability should be an important criteria (namely modes of transport, catering options).
- 12.2 The working language of EU DAG meetings shall be English. The working language of the joint EU-Japan DAGs meetings shall be English.

13. Interaction with Civil Society from Japan

- 13.1 The EU DAG will invite the Japanese DAGs to hold at least one joint meeting per year, thereby providing framework for a structured discussion on implementation of their mandates and for cooperation between the DAGs in this context.
- 13.2 The EU DAG may also decide about its participation and/or contribution to the Joint Dialogue with civil society.

14. Adoption and amendment of the rules of procedure of the EU DAG

- 14.1 These rules of procedure shall be adopted either by consensus or by simple majority of the EU DAG members.
 - 14.2 These rules of procedure may be amended following a proposal of one third of the members of the EU DAG. The proposed modification will be adopted by consensus or by simple majority.
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