

## TITLE XIII

### SPECIFIC TASKS IN TRADE MATTERS OF THE BODIES ESTABLISHED UNDER THIS AGREEMENT

#### ARTICLE 345

##### Specific Tasks of the Association Council

1. When the Association Council performs any of the tasks conferred upon it in Part IV of this Agreement, it shall be composed, at ministerial level, of representatives of the EU Party, on the one side, and of the Ministers of each of the Republics of the CA Party, with responsibility for trade-related matters on the other, in accordance with the Parties' respective legal frames, or by their designees.
2. The Association Council may, when it relates to trade-related matters:
  - (a) modify, in fulfilment of the objectives of Part IV of this Agreement:
    - (i) the lists of goods contained in Annex I (Elimination of Customs Duties), with the object of incorporating one or more goods into the tariff reduction schedule;

- (ii) the Schedules attached to Annex I (Elimination of Customs Duties) in order to accelerate tariff dismantling;
  - (iii) Appendix 1, Appendix 2 and Appendix 3 to Annex I (Elimination of Customs Duties);
  - (iv) Appendixes 1, 2, 2A, 3, 4, 5 and 6 to Annex II (Concerning the Definition of the Concept of "Originating Products" and Methods of Administrative Cooperation);
  - (v) Annex XVI (Government Procurement);
  - (vi) Annex XVIII (Protected Geographical Indications);
  - (vii) Annex XIX (Lists of Products Referred to in paragraph 4 of Article 306);
  - (viii) Annex XXI (Sub-Committees);
- (b) issue interpretations of the provisions of Part IV of this Agreement; and
  - (c) take such other action in the exercise of its functions as the Parties may agree.

3. Each Party shall implement, in accordance with its applicable legal procedures, any modification referred to in subparagraph 2(a) within such period as the Parties may agree<sup>54</sup>.

## ARTICLE 346

### Specific Tasks of the Association Committee

1. When the Association Committee performs any of the tasks conferred upon it in Part IV of this Agreement, it shall be composed of representatives of the European Commission, on the one side, and of representatives of each of the Republics of the CA Party, on the other, at senior official level and with responsibility for trade-related matters, or their designees.
2. The Association Committee shall have, in particular, the following functions when dealing with trade-related matters:
  - (a) assist the Association Council in the performance of its functions regarding trade-related matters;

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Implementation of Modifications Approved by the Association Council:

1. In the case of Costa Rica, decisions of the Association Council under Article 345, paragraph 2(a) will be equivalent to the instrument referred to in Article 121.4, third paragraph (*Protocolo de Menor Rango*) of the *Constitución Política de la República de Costa Rica*.
2. In the case of Honduras, decisions of the Association Council under Article 345, paragraph 2(a) will be equivalent to the instrument referred to in Article 21 of the *Constitución de la República de Honduras*.

- (b) be responsible for the proper implementation and application of the provisions of Part IV of this Agreement. In this respect, and without prejudice to the rights established in Title X (Dispute Settlement) and Title XI (Mediation Mechanism for Non-Tariff Measures) of Part IV of this Agreement, any Party may refer for discussion within the Association Committee any issue relating to the application or interpretation of Part IV of this Agreement;
  - (c) oversee the further elaboration of the provisions of Part IV of this Agreement as necessary and evaluate the results obtained from its application;
  - (d) seek appropriate ways of preventing and solving problems which might otherwise arise in areas covered by Part IV of this Agreement; and
  - (e) approve the rules of procedures of all Sub-Committees under Part IV of this Agreement and supervise their work.
3. In the performance of its duties under paragraph 2, the Association Committee may:
- (a) establish additional Sub-Committees from those established in Part IV of this Agreement, composed of representatives of the European Commission and of each of the Republics of the CA Party, and assign them responsibilities within its competence. It may also decide to modify the functions that are assigned to the Sub-Committees it establishes, as well as dissolve them;

- (b) recommend the adoption of decisions in compliance with the specific objectives of Part IV of this Agreement, to the Association Council; and
- (c) take any other action in the exercise of its functions as the Parties may agree or as instructed by the Association Council.

## ARTICLE 347

### Coordinators of Part IV of this Agreement

1. The European Commission and each of the Republics of the CA Party shall appoint a Coordinator for Part IV of this Agreement, within sixty days after the entry into force of this Agreement.
2. The coordinators shall work jointly to develop agendas and make all other necessary preparations for the meetings of the Association Council and the Association Committee according to the above provisions, and shall follow-up on the decisions of such bodies, as appropriate.

## ARTICLE 348

### Sub-Committees

1. Without prejudice to the provisions of Article 8 of Title II (Institutional Framework) of Part I of this Agreement, this Article shall be applied to all Sub-Committees established in Part IV of this Agreement.
2. Sub-Committees shall be composed of representatives of the European Commission, on the one side, and of representatives of each of the Republics of the CA Party, on the other.
3. The Sub-Committees shall meet once per year or at the request of either Party or of the Association Committee, at an appropriate level. When in person, meetings shall be held alternately in Brussels or Central America. Meetings may also be held by any technological mean available to the Parties.
4. The Sub-Committee shall be chaired alternately by a representative of the EU Party on one hand and by a representative of one Republic of the CA Party on the other, for a period of one year.