

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

No. 9/2024

**amending Decision No. 1/2015 on the Establishment of CEFTA Bodies and
amending Decision No. 5/2014 on the Establishment of the Sub-Committee on Trade in Services
and Amendment of the Decision No. 4/2010**

Adopted on 9 October 2024

The Joint Committee,

Having regard to Article 40.2 and 40.4 of Annex 1 to the Agreement on Amendment of and Accession to the Central European Free Trade Agreement (hereinafter “CEFTA 2006”), done in Bucharest on 19 December 2006;

Having regard to Article 41(5) of the CEFTA 2006, which empowers the Joint Committee to establish appropriate organs such as working groups, task forces, subcommittees and other bodies it considers necessary to assist it in accomplishing its tasks;

Having regard to Decision No. 1/2015 on the Establishment of CEFTA Bodies;

Having regard to Decision No. 5/2014 on the Establishment of the Sub-Committee on Trade in Services and Amendment of the Decision No. 4/2010, as amended by Decision No 2/2015 on the Amendment to Decision No 5/2014;

With the objective to ensure the continuous and efficient functioning of the CEFTA Bodies, as well as the full implementation of the Agreement and the Additional Protocols to the Agreement;

With the objective to adjust the relevant CEFTA structures to respond to new priorities related to the implementation of the CEFTA 2006;

Having regard to the recent activities relating to veterinary issues;

Having regard to the recent activities relating to Intellectual Property Rights;

Having regard to the recent activities relating to professional qualifications;

Has decided as follows:

Article 1

Establishment of New CEFTA Bodies

1. In addition to the CEFTA bodies established by Decision No. 1/2015 on the Establishment of CEFTA Bodies, the CEFTA Parties agree to replace the terms of reference of the Joint Working Group on the Recognition of Professional Qualifications and to establish the following new CEFTA bodies:

- a) The Sub-Committee on Intellectual Property Rights, which shall address issues related to Intellectual Property Rights and which shall be tasked with overseeing the implementation of the Decision of the Joint Committee on Trade-Related Aspects of Intellectual Property Rights.
 - b) The Veterinary Working Group, which shall support the work of the Sub-committee on Agriculture including Sanitary and Phytosanitary Issues.
 - c) The Working Group on Parcel Delivery Services, which shall support the work of the Sub-Committee on Trade in Services.
2. The Chair of the Sub-Committee on Intellectual Property Rights shall be a representative of the fifth Party in alphabetical order after the Chair in Office.
 3. The Chair of the Veterinary Working Group shall be from the Party that chairs the Sub-committee on Agriculture including Sanitary and Phytosanitary Issues.
 4. The Chair of the Joint Working Group on the Recognition of Professional Qualifications shall be from the Party following the CEFTA Party chairing the CEFTA Subcommittee on Trade in Services.
 5. The Chair of the Working Group on Parcel Delivery Services shall be from the CEFTA Party chairing the CEFTA Subcommittee on Trade in Services.
 6. The terms of references for the Sub-Committee on Intellectual Property Rights, the Veterinary Working Group, and the Joint Working Group on the Recognition of Professional Qualifications, which are provided in the Annexes to this Decision, form integral part of this Decision.

Article 2

Amendment of Decision No 1/2015 on the Establishment of CEFTA Bodies

1. In Article 1, paragraph 1, under Sub-committee on Customs and Rules of Origin, a reference to the "Sub-Committee on Intellectual Property Rights" is added.
2. In Article 1, paragraph 1, under Sub-committee on Agriculture including Sanitary and Phytosanitary Issues, a reference to "Veterinary Working Group" is added.
3. In Article 1, paragraph 2, under "Sub-committee on Trade in Services and its working groups as below", a reference to "Working Group on Parcel Delivery Services" is added.
4. In Article 1, paragraph 3 is replaced by the following text:

"3. The committees, sub-committees, and working groups shall follow the same scope, terms of activity and other necessary requirements as set out in Article 13 of the Rules of Procedure for the Joint Committee.

4. The above-mentioned committees, sub-committees, and working groups shall work in accordance to the respective individual terms of reference agreed by the Joint Committee.

5. The Chair of each committee, sub-committee, and working group shall rotate on a yearly basis in accordance with order of the Parties in Article 3 of the Joint Committee Decision 1/2007 as amended by Joint Committee Decision 1/2024.

- i. The Party acting as Chair in Office shall chair the Committee of Contact Points.
- ii. The Chair of the Sub-committee on Customs and Rules of Origin shall be a representative of the first Party in alphabetical order after the Chair in Office.
- iii. The Chair of the Sub-committee on Agriculture shall be a representative of the second Party in alphabetical order after the Chair in Office.
- iv. The Chair of the Committee of Trade Facilitation and the Sub-committee on Non-Tariff Measures shall be a representative of the third Party in alphabetical order after the Chair in Office.
- v. The Chair of the Sub-committee on Trade in Services shall be a representative of the fourth Party in alphabetical order after the Chair in Office.
- vi. The Chair of the Sub-Committee on Intellectual Property Rights shall be a representative of the fifth Party in alphabetical order after the Chair in Office

6. Meetings of each committee, sub-committee, and working group shall take place either in the Party holding the Chair of the respective committee, sub-committee, and working group or in any other place where the relevant Chair agrees with”.

5. In Article 4, the following text is added:

“This Decision was amended by Decision No. 9/2024, adopted on 9 October 2024, in the presence of representatives of all CEFTA Parties, and which shall take effect on 1 January 2025”.

Article 3

Amendment of the Annexes to Decision No 1/2015

1. A new Annex 9 providing the terms of reference for the Sub-Committee on Intellectual Property Rights shall be added to Decision No. 1/2015.
2. A new Annex 10 providing the terms of reference for the Veterinary Working Group shall be added to Decision No. 1/2015.
3. A new Annex 11 providing the terms of reference for the Joint Working Group on the Recognition of Professional Qualifications shall be added to Decision No. 1/2015.

Article 4

Amendment to Decision No 5/2014

1. In Paragraph 2 of Decision No 5/2014, indent (iii) shall be removed.

2. Annex 3 to Decision No 5/2014 providing the current terms of reference for the Joint Working Group on the Recognition of Professional Qualifications shall be removed.

Article 5

Consolidated versions

The CEFTA Secretariat shall make available consolidated versions of Decision No. 1/2015 and of Decision No. 5/2014 of the CEFTA Joint Committee.

Article 6

Entry into force

This decision shall enter into force on the day of its adoption, and take effect on 1 January 2025.

This decision was adopted in Belgrade, on 9 October 2024, in the presence of all CEFTA Parties.

Annex 9 to Decision No. 1/2015
Terms of Reference of the Sub-Committee on Intellectual Property Rights

1. TITLE

The title of the Sub-Committee shall be “CEFTA Sub-Committee on Intellectual Property Rights”.

2. TASK

The task of the Sub-Committee on Intellectual Property Rights shall be to develop and broaden cooperation among the CEFTA Parties in relation to Intellectual Property Rights for the purpose of the elimination of trade-related barriers.

3. MEMBERSHIP

- (1) The Sub-Committee shall consist of a representative of each CEFTA Party, as delegated by each CEFTA Party. The representative from each CEFTA Party shall actively participate in performing the tasks and functions of this Sub-Committee.
- (2) Members of the Sub-Committee on Intellectual Property Rights shall be senior officials dealing with Intellectual Property Rights.
- (3) Experts from other public authorities of the CEFTA Parties or from outside of CEFTA Parties or international organizations and representatives of small and medium-sized enterprises may be invited to attend the meetings at the request of the Chair of the Sub-Committee to provide advice or introduce best practices where needed. Invited experts have no rights in decision making and may be asked to leave the meeting at any time by the Chair.
- (4) The Sub-Committee may decide to benefit from technical consultancy contracted by the CEFTA Secretariat. Consultants hired by the CEFTA Secretariat may attend the meetings upon the instructions of the Chair to provide their advice where needed.
- (5) The Sub-Committee shall make recommendations by consensus of all members. If a member is absent from the meeting, he/she should communicate its position in writing within a period of no longer than 20 working days from the date of a receipt of a request. If no position is communicated within the set period, it shall be deemed that the member concerned has no objection and agrees to proceed further.
- (6) A member of the Sub-Committee shall cease to be a member if:
 - (a) He/she resigns from employment in the authority referenced in paragraph 2 of this Section;
or
 - (b) He/she fails to attend 3 consecutive meetings without informing the Chair and securing an appropriate replacement; or
 - (c) On his/her own request.

4. CHAIRPERSON

- (1) The Chair of the Sub-committee on Intellectual Property Rights shall be a representative of the fifth Party in alphabetical order after the Chair in Office.
- (2) The Chair shall:
 - (a) Schedule meetings and notify the members;
 - (b) Invite guest experts to attend the meetings when required by members;
 - (c) Guide the meetings and other activities during chairing; and
 - (d) Ensure all discussion items end with a decision, action, or definite outcome.

5. MINUTES TAKING

The CEFTA Secretariat shall take notes and draft minutes of the meetings within 10 working days from the day of the meeting. Recipients of the meeting minutes/conclusions shall have 10 working days to submit comments. If no comments are submitted, the minutes shall be considered final. Recipients shall provide constructive comments aimed at exercising the functions of this Sub-Committee.

6. MEETINGS

The Sub-Committee shall meet as necessary but at least once per year.

7. FUNCTIONS

- (1) The specific function of the Sub-Committee is coordination and cooperation in the field of intellectual property rights.
- (2) The Sub-Committee shall perform the following activities as part of its coordination role:
 - (a) adoption of a multi-annual strategy with an action plan and regular reporting to the Joint Committee on an annual basis on the implementation progress;
 - (b) formation of various working groups within the Sub-Committee, focused on the different intellectual property objects, Customs enforcement, or judiciary enforcement as considered important;
 - (c) support of a regulatory framework by conducting a comparative analysis to assess the degree of harmonisation in view of reducing gaps with the EU *acquis*;
 - (d) facilitation of a knowledge sharing system between the CEFTA Parties, such as on jurisprudence and enforcement, and encourage integration towards European Union Intellectual Property Network (EUIPN) best practices;
 - (e) facilitation of the real time exchange of information relevant for Customs measures enforcement;
 - (f) cooperation with European Union bodies, in particular, but not limited to, the European Union Intellectual Property Office, to ensure adequate protection of Intellectual Property Rights and elimination of trade barriers related to Intellectual Property Rights;
 - (g) implementation of projects among the CEFTA Parties in the field of enforcement of Intellectual Property Rights, acting as a steering committee for EU-funded projects;
 - (h) implementation of online tools and digitalisation of filings related to Intellectual Property Rights, establishing a platform on statistics related to Intellectual Property Rights with an aim to increase the relevance, efficiency, effectiveness, and interoperability of the existing systems;

- (i) awareness raising activities and establishment of intellectual property help desks and focal points to engage SMEs in protecting, and developing their Intellectual Property Rights through educational activities;
- (j) assessment of possibilities of establishing an intellectual property fund to support SMEs with respect to the protection and enforcement of their Intellectual Property Rights;
- (k) lead the activities related to the exchange of knowledge between the CEFTA Parties, with a focus on case law, and organisation of regular trainings;
- (l) exchange relevant information on existing and pending laws, regulations, and administrative provisions of CEFTA Parties, as well as on any relevant amendment adopted in the CEFTA Parties;
- (m) assessment of the feasibility of introducing harmonised fees in relation to the registration of Intellectual Property Rights;
- (n) assessment of the feasibility of establishing a virtual training centre for relevant stakeholders;
- (o) assessment of the feasibility of implementing an all CEFTA Parties' system for the registration of trademarks;
- (p) assessment of the feasibility of implementing an all CEFTA Parties' system for the application of Custom measures.

8. ACCOUNTABILITY AND REPORTING

- (1) The agreed minutes of the Sub-Committee meetings shall be submitted to the Joint Committee and shall be integrated into the Ministerial Conclusions as appropriate.
- (2) The Chair of the Sub-Committee shall report on discussions, outcomes, and progress in its work to the Joint Committee on annual basis.

Annex 10 to Decision No. 1/2015
Terms of Reference of the Veterinary Working Group

1. Title

The title of the Working Group shall be “Veterinary Working Group”.

2. Tasks

The overall task of the Veterinary Working Group is to contribute to the promotion and facilitation of trade in agri-food products within CEFTA, as well as to discuss and coordinate the related policies on agriculture and the protection of animal health and food safety and other relevant areas in accordance with Articles 11 and 12 of the CEFTA 2006.

More specifically, the Veterinary Working Group shall be tasked with supporting the work of the CEFTA Sub-committee on Agriculture including Sanitary and Phytosanitary Issues as it relates to veterinary issues and related issues.

3. Membership

- (1) Members of the Veterinary Working Group shall be senior civil servants from Ministries responsible for agriculture and/or from the respective administrations responsible for veterinary issues.
- (2) The Veterinary Working Group shall make recommendations by consensus of all its members. If a member is absent from a meeting, he/she should communicate its position in writing within a period of no longer than 20 working days from the date of a receipt of a request for such position. If no position is communicated within the set period, it shall be deemed that the member concerned has no objection and agrees to proceed further.
- (3) A member of the Veterinary Working Group shall cease to be a member if:
 - (a) He/she resigns from a relevant position within the respective CEFTA Party;
 - (b) He/she fails to attend three consecutive meetings without providing reasons to the Chair and securing an appropriate replacement; or
 - (c) On his/her own request.

4. Chairperson

- (1) The Chair of the Veterinary Working Group shall be from the Party that chairs the Sub-committee on Agriculture including Sanitary and Phytosanitary Issues.

- (2) The Chair of the Veterinary Working Group shall participate in the meetings of the CEFTA Sub-committee on Agriculture including Sanitary and Phytosanitary Issues.

5. Minutes

- (1) A representative from the CEFTA Secretariat shall take notes and draft minutes or operational conclusions of the meetings of the Veterinary Working Group within 10 working days from the day of each meeting.
- (2) Recipients of the minutes or operational conclusions shall have 5 working days from receipt of the drafts to submit comments and, if no comments are submitted, the minutes shall be considered as final and accepted.

6. Meetings

The Veterinary Working Group shall meet as necessary, but at least once per year and shall report to the CEFTA Sub-committee on Agriculture including Sanitary and Phytosanitary Issues.

7. Functions

The specific functions of the Veterinary Working Group shall be:

- (a) To support the work of the CEFTA Sub-committee on Agriculture including Sanitary and Phytosanitary Issues;
- (b) To support the CEFTA Parties regarding the harmonisation of Veterinary Health Certificates;
- (c) To support the implementation of the CEFTA Decision on establishments in sectors authorised for trade among CEFTA Parties;
- (d) To support the implementation of the CEFTA Decision on Residue Monitoring Plans;
- (e) To support the CEFTA Parties in any further tasks allocated by the CEFTA Sub-committee on Agriculture including Sanitary and Phytosanitary Issues or by any other CEFTA Body concerning veterinary issues.

8. Accountability and Reporting

- (1) The Veterinary Working Group shall communicate on a regular basis with the CEFTA Sub-committee on Agriculture including Sanitary and Phytosanitary Issues and report on the activities of the Veterinary Working Group.

- (2) The Veterinary Working Group shall submit an annual written report to the CEFTA Sub-committee on Agriculture including Sanitary and Phytosanitary Issues, noting the progress made and the difficulties encountered in the course of the past calendar year.

Annex 11 to Decision No. 1/2015
Terms of Reference for the
Joint Working Group on the Recognition of Professional Qualifications

1. Title

The title of the Working Group shall be “Joint Working Group on the Recognition of Professional Qualifications”.

2. Task

The task of the CEFTA-RCC Joint Working Group on Recognition of Professional Qualifications (hereinafter Joint Working Group) shall be to facilitate and supervise the implementation and application of cooperation in the area of the recognition of professional qualifications.

3. Structure and Membership

- (1) The Joint Working Group operates under the auspices of CEFTA and RCC with close collaboration of their respective secretariats.
- (2) The Joint Working Group shall be composed of two representatives of each Party, one from the authority in charge of trade and the other from the authority in charge of education and/or coordination of professional qualifications.
- (3) Each Party shall communicate the name of its members to the other Parties and to the CEFTA and RCC secretariats within one month of the entry into force of these Terms of Reference and following the nomination of any replacement. The CEFTA and RCC secretariats shall maintain an up-to-date list of the members of the Joint Working Group.
- (4) Membership of the Joint Working Group shall cease:
 - (a) On a member’s own request; or
 - (b) On a Party’s own request.
- (5) In the cases referred to in paragraph 5, the Party concerned shall nominate a replacement within one month and notify the CEFTA and RCC secretariats thereof.

4. Chair

- (1) The Party following the CEFTA Party chairing the CEFTA Subcommittee on Trade in Services shall chair the Joint Working Group.
- (2) The responsibilities of the Chair shall include:
 - (a) Scheduling meetings and notifying the members;
 - (b) Preparing the meeting agenda;
 - (c) Inviting experts to attend the meetings upon consultation with all members;
 - (d) Presiding over the meetings and providing guidance for other activities;
 - (e) Ensuring that all discussion items end with a definite outcome;
 - (f) Seeking the written position of a Party that was not represented at a meeting; and

- (g) Ensuring the formulation and adoption of minutes after each meeting.

5. Minutes

The CEFTA secretariat and the RCC secretariat shall prepare draft minutes of the Joint Working Group meetings within 10 working days from the day of the meeting. Members of the Joint Working Group shall have 10 working days to submit comments to the Chair. If no comments are received, the minutes shall be considered final. If comments are received by the Chair, the Secretariats shall prepare a revised draft within 5 working days.

6. Meetings

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

7. Functions

(1) The specific functions of the Joint Working Group shall be to:

- (a) Coordinate, oversee, and streamline the work related to the recognition of professional qualifications;
- (b) Collect and file the information and reports provided by the Parties, in particular the Parties' notifications of their relevant regulations and administrative provisions governing the recognition of professional qualifications;
- (c) Facilitate and supervise the implementation and application of the CEFTA rules on Professional Qualifications;
- (d) Facilitate and supervise the implementation and application of the Agreement on the recognition of professional qualifications of doctors of medicine, doctors of dental medicine and architects in the context of the Central European Free Trade Agreement context adopted on 3 November 2022 in Berlin;
- (e) Facilitate the exchange of information on the recognition of professional qualifications;
- (f) Act as a forum for exchange of experiences and good practices on the recognition of professional qualifications;
- (g) Provide information and assistance, if necessary, to the Parties concerning recognition of professional qualifications;
- (h) Examine together with the Parties concerned possible difficulties encountered in the recognition of professional qualifications;
- (i) Identify additional sectors and professions of mutual interest, which could be subject to a mechanism for the recognition of professional qualifications;
- (j) Prepare a proposal of rules regulating the modalities of a professional card, in accordance with the CEFTA rules on Professional Qualifications;
- (k) Create conditions to establish a joint online platform with relevant arrangements on the recognition of professional qualifications to enhance transparency of regulatory frameworks;
- (l) Develop mechanisms to monitor the recognition of professional qualifications in the Parties;
- (m) Promote achievements of the recognition of professional qualifications to main stakeholders and a wider audience;
- (n) Generally prepare draft decisions and recommendations for the CEFTA Joint Committee in the context of the recognition of professional qualifications and submit them to the CEFTA Subcommittee on Trade in Services.

- (2) The Joint Working Group shall keep other relevant CEFTA Bodies informed of its activities and consult with them as appropriate.

8. Procedures

- (1) Recommendations and proposals of the Joint Working Group shall be agreed by consensus of all members.
- (2) If a member is absent from the meeting, he/she will communicate its position in writing within a period of no longer than 15 working days from the date of a receipt of a request from the Chair. If the member's position is not communicated within the set period, it shall be deemed that the member concerned has no objection and is in agreement to proceed further.

9. Accountability and reporting

The Joint Working Group shall report to the CEFTA Subcommittee on Trade in Services on an annual basis. Specific ad hoc reports may be requested by the CEFTA Subcommittee on Trade in Services or the CEFTA Joint Committee.

Annex 12 to Decision No. 1/2015
Terms of Reference
Working Group on Parcel Delivery Services

1. Title

The title of the Working Group will be “CEFTA Working Group on Parcel Delivery Services”.

2. Task

The task of the Working Group on Parcel Delivery Services (hereinafter: Working Group) shall be to facilitate, supervise and improve cooperation in the area of the parcel delivery services.

The Working Group will provide a working level forum to address key challenges and strengthen cooperation in relation to supply of parcel delivery services seeking to facilitate and boost electronic commerce within CEFTA.

3. Membership

- 1) The Working Group shall be composed of two members from each Party, one from the relevant authority in charge of creating the policies in the field of parcel delivery services and the other from the relevant authority dealing with the regulatory oversight of parcel delivery services.
- 2) Each Party shall communicate the name of its members to the CEFTA Secretariat within one month of the entry into force of these Terms of Reference. The CEFTA Secretariat shall maintain an up to date list of the members of the Working Party.
- 3) Internal or external experts may be invited to attend the meetings at the request of the Chair of the Working Group, seeking to provide advice or introduce best practices, where needed.
- 4) The Working Group will make recommendations by consensus of all members. If a member is absent from the meeting he/she should communicate his/her position in writing within the period of 20 working days from the date of a receipt of a request. If position is not communicated within the set period, it shall be deemed that the member concerned has no objection and agrees to proceed further.
- 5) Membership of the Working Group shall cease:
 - (a) On a member’s own request; or
 - (b) On a Party’s own request.In the cases referred to in previous paragraph, the Party concerned shall nominate a replacement within one month and notify the CEFTA Secretariat thereof.

4. Chairmanship

The Chair shall be a representative from the CEFTA Party acting as Chair in Office of the CEFTA Subcommittee on Trade in Services.

The responsibilities of the Chair include:

- (a) Scheduling meetings and notifying the members;
- (b) Preparing the meeting agenda;
- (c) Inviting experts to attend the meetings;
- (d) Presiding over the meetings and providing guidance for other activities;
- (e) Ensuring that all discussion items end with a definite outcome;
- (f) Seeking the written position of a Party that was not represented at a meeting; and
- (g) Ensuring the formulation and adoption of minutes after each meeting.

5. Minutes

The CEFTA Secretariat shall prepare draft minutes of the Working Group meetings within 10 working days from the day of the meeting. Members of the Working Group shall have 10 working days to submit comments to the Chair. If no comments are received, the minutes shall be considered final. If comments are received by the Chair, the Secretariat shall prepare a revised draft within 5 working days.

6. Meetings

The meetings of the Working Group will be organized at least once a year, preferably before the regular meeting of the CEFTA Subcommittee on Trade in Services.

7. Functions

The specific functions of the Working Group shall be to:

- (a) Coordinate, oversee, and streamline the work related to facilitation of the parcel delivery services;
- (b) Facilitate and supervise the implementation and application of the Decision of the CEFTA Joint Committee No. 3/2024 on Inter-Party Parcel Delivery Services adopted on 9 October 2024;
- (c) Address the key challenges in improving the inter-Party parcel delivery services within CEFTA, in particular related to harmonisation of the legal and regulatory frameworks, regulatory oversight, transparency of tariffs, consumer protection, non-regulatory measures, etc.;
- (d) Act as a forum for exchange of experiences and good practices on parcel delivery services and the improvement of quality in this field;
- (e) Discuss common needs and challenges and recommend joint actions related to implementation of the relevant EU *acquis*.
- (f) Discuss on ways and means to improve administrative cooperation among the Parties regarding parcel delivery services and ensure information inter-Party parcel delivery services available for consumers;
- (g) Share technical expertise and successful stories on increasing the transparency of certain single-piece tariffs and recommend possible carbon neutral inter-Party parcel delivery services within CEFTA Parties;
- (h) Identify urgent areas for strengthening cooperation focused on enhancing non-regulatory measures to improve inter-Party parcel delivery;
- (i) Promote achievements in the area of parcel delivery services to main stakeholders and wider audience;

- (j) Prepare draft decisions and recommendations for the CEFTA Joint Committee in the area of parcel delivery services and submit them to the CEFTA Subcommittee on Trade in Services.

8. Accountability and reporting

The Working Group shall report to the CEFTA Subcommittee on Trade in Services, on an annual basis. Specific *ad hoc* reports may be requested by the CEFTA Subcommittee on Trade in Services or CEFTA Joint Committee.