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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.01.2003
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Proposal for a

COUNCIL DECISION

on the Community position to be adopted in the Cooperation Council established by the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, in relation to the establishment of rules of procedure for the settlement of disputes under that Agreement

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. The Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, entered into force on 1 December 1997.
2. Since the PCA entered into force, a number of disputes have arisen between the EC and Russia concerning implementation of the Agreement. Certain of these disputes, *inter alia* concerning access to the markets for financial services and alcoholic beverages as well as the imposition of export duties on ferrous waste and scrap, have caused significant injury to the Community industry. The Community has had difficulty in seeking to redress these situations due to the absence of effective PCA dispute settlement procedures
3. The issue of how best to settle such disputes has been discussed at length by the Parties. The PCA provides, in Article 101 (4) thereof, that the Cooperation Council established by Article 90 of the Agreement may establish rules of procedures for dispute settlement. In addition, a Joint Declaration in relation to Article 101 annexed to the Final Act of the PCA invites the Cooperation Council to examine the rules of procedure that may be useful for dispute settlement under the Agreement.
4. Establishing PCA dispute settlement procedures will reinforce the PCA as the legal foundation of EC-Russia relations, introduce greater transparency and predictability and give a more judicial character to the settlement of disputes. Both the Community and Russia are agreed on the desirability of this and the Parties have therefore elaborated relevant rules of procedure for dispute settlement.
5. It is appropriate for the Cooperation Council to establish such rules of procedure. The text of the proposal for a Council Decision on the position to be taken by the Community in the Cooperation Council, as provided for by Article 2 paragraph 1 of the Council and Commission Decision of 30 October 1997 on the conclusion of the aforementioned Partnership and Cooperation Agreement, is attached. These rules of procedure are without prejudice to the rights and obligations of the Parties established under the PCA. The Council is asked to adopt this text.

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on the Community position to be adopted in the Cooperation Council established by the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, in relation to the establishment of rules of procedure for the settlement of disputes under that Agreement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Article 2 paragraph 1 of Council and Commission Decision of 30 October 1997 on the conclusion of the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part¹

Having regard to the proposal from the Commission²,

Whereas:

- (1) Article 101(4) of the Partnership and Cooperation Agreement provides that the Cooperation Council may establish rules of procedures for dispute settlement and the Joint Declaration in relation to Article 101 annexed to the Final Act of the Partnership and Cooperation Agreement invites the Cooperation Council to examine the rules of procedure that may be useful for dispute settlement under the Agreement;
- (2) The European Community and the Russian Federation have decided to establish such rules of procedure, in order to enhance the security and predictability of bilateral relations under the Partnership and Cooperation Agreement;
- (3) These rules of procedures are without prejudice to the rights and obligations established under the Partnership and Cooperation Agreement,

¹ OJ L 327, 28.11.1997, p.1.

² OJ C , , p. .

HAS DECIDED AS FOLLOWS

Sole Article

The position to be adopted by the Community in the Cooperation Council established by Article 90 of the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, in relation to the establishment of rules of procedure for the settlement of disputes under that Agreement, shall be in accordance with the annex to the present Decision.

Done at Brussels,

For the Council
The President

ANNEX

THE COOPERATION COUNCIL,

Having regard to the Agreement on Partnership and Cooperation establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, hereinafter referred to as the Partnership and Cooperation Agreement, and in particular Article 101(4) thereof,

Whereas:

- (1) Article 101(4) of the Partnership and Cooperation Agreement provides that the Cooperation Council may establish rules of procedures for dispute settlement and the Joint Declaration in relation to Article 101 annexed to the Final Act of the Partnership and Cooperation Agreement invites the Cooperation Council to examine the rules of procedure that may be useful for dispute settlement under the Agreement;
- (2) The European Community and the Russian Federation have decided to establish such rules of procedure, in order to introduce greater transparency and predictability and give a more judicial character to the settlement of disputes under the Partnership and Cooperation Agreement;
- (3) These rules of procedures are without prejudice to the rights and obligations established under the Partnership and Cooperation Agreement,

HAS ESTABLISHED THE FOLLOWING RULES OF PROCEDURE FOR DISPUTE SETTLEMENT:

Article 1

Scope and coverage

The provisions of these Rules for Dispute Settlement determine the procedure for the settlement of disputes relating to the application and interpretation of the Partnership and Cooperation Agreement, except in cases of special urgency as provided for in Article 107(2) of Partnership and Cooperation Agreement.

Article 2

Consultation

1. The Parties shall at all times endeavour to agree on the interpretation and application of the Partnership and Cooperation Agreement and shall make every attempt through cooperation and consultations to arrive to a mutually satisfactory resolution of any matter that might affect its functioning.

2. Each of the Parties may refer to the Cooperation Committee any dispute relating to the application or interpretation of the Partnership and Cooperation Agreement by requesting consultations.

3. The Cooperation Committee shall convene within 30 days of delivery of the request for consultations and shall endeavour to arrive at a mutually satisfactory resolution of the dispute promptly. It shall convene within 10 days in case of urgency, including those involving perishable goods.

Article 3

Request for the establishment of a conciliation panel

1. In case a Party has referred to the Cooperation Committee any dispute relating to the violation of the Partnership and Cooperation Agreement by the other Party and such matter has not been resolved within 15 days after the Cooperation Committee has convened pursuant to Article 2(3) or 45 days after the delivery of the request for consultations within the Cooperation Committee, the complaining Party shall request in writing the establishment of a conciliation panel.

2. The complaining Party shall state in the request the measure or practice it considers to be in breach of the Partnership and Cooperation Agreement and indicate the provisions that it considers relevant, and shall deliver the request together with the notification of the appointment of its conciliator to the other Party and to the Cooperation Council.

Article 4

Appointment of conciliators

1. The Cooperation Committee shall, no later than 3 months after the entry into force of this Rules, establish an indicative list of up to 15 individuals who are willing and able to serve as conciliators, five of whom must not be national of either Party. Those individuals shall have specialised knowledge or experience in law, international trade, other matters relating to the Partnership and Cooperation Agreement or the resolution of disputes deriving from international trade agreements. They shall act in complete independence and not be affiliated with or take instruction from any Party. At least three of these individuals shall have demonstrated expertise in the field of trade defence instruments.

Such indicative list may be amended every three years.

2. The complaining Party shall notify the other Party of the appointment of a conciliator, and propose up to 3 candidates to serve as a chair. The other Party must then appoint a second conciliator within 15 days, and propose up to 3 candidates to serve as a chair.

3. Both Parties shall endeavour to agree on the chair within 15 days after the second conciliator has been appointed.

4. The date of establishment of the conciliation panel shall be the date on which the chair is appointed.

5. If a Party fails to appoint its conciliator pursuant to paragraph 2, such conciliator shall be selected by lot, within two months from the date of the appointment of the first conciliator, by the President of the Cooperation Committee among the nationals of that Party figuring on the indicative list referred to in paragraph one. The Parties shall be represented at the drawing.

If the Parties are unable to agree on the chair within the time period referred to in paragraph 3, it shall be selected by lot by the President of the Cooperation Committee within one week among the individuals figuring on the indicative list referred to in paragraph one which are not national of either Party. The Parties shall be represented at the drawing.

6. If a conciliator dies, withdraws or is removed, a replacement shall be selected within 15 days in accordance with the selection procedure followed to select him or her. In such case, any time period applicable to the conciliation panel proceeding shall be suspended for a period beginning on the date the conciliator dies, withdraws or is removed and ending on the date the replacement is selected.

7. When a dispute concerns an alleged breach by one Party of its obligations under Article 18 of the Partnership and Cooperation Agreement, the Parties shall ensure that the conciliators appointed for the dispute have a demonstrated experience in trade defense instruments.

Article 5

Conciliation panel reports

1. The conciliation panel should, as a general rule, submit an initial report containing its findings, conclusions and recommendations to the Parties not later than three months from the date of establishment of the conciliation panel. In no case should it do so later than five months from this date. Any Party may submit written comments to the conciliation panel on its initial report within 15 days of circulation of the report.

2. The conciliation panel shall present to the Parties and to the Cooperation Council a final report within 30 days of presentation of the initial report.

3. In cases of urgency, including those involving perishable goods, the conciliation panel shall make every effort to issue its final report to the Parties within three months from the date of establishment of the conciliation panel. In no case should it do so later than four months.

The conciliation panel may give a preliminary ruling on whether a case is urgent.

4. All decisions of the conciliation panel, including the adoption of the final report and of any preliminary ruling, shall be taken by majority vote, each conciliator having one vote.

5. The complaining Party may withdraw its complaint at any time before the final report is issued. Such withdrawal is without prejudice to its right to introduce a new complaint regarding the same matter at a later point in time.

6. The conciliation panel may suspend its work at any time at the request of the complaining Party for a period not to exceed 12 months. In the event of such a suspension, the time-frame set out in paragraphs 1 to 3 of this Article shall be extended by the amount of time that the work was

suspended. If the work of the panel has been suspended for more than 12 months, the authority for establishment of the panel shall lapse.

Article 6

Application of appropriate measures

1. Unless the final report referred to in Article 5(2) concludes that the Party complained against has not fulfilled its obligations under the Partnership and Cooperation Agreement, the complaining Party shall not take measures under Article 107(2) of the Partnership and Cooperation Agreement in regard to the violation referred to the Cooperation Committee.

2. If the final report concludes that the Party complained against has not fulfilled its obligations under the Partnership and Cooperation Agreement, the Party concerned shall inform the other Party within 30 days after the final report has been issued of the implementing measures it intends to take to put an end to the violation of its obligations and, where relevant, of the duration of the reasonable period of time which it considers necessary to implement those measures.

3. The Parties shall endeavour to agree on the specific implementing measures that are required.

4. The Party concerned shall promptly put an end to the violation of its obligations under the Partnership and Cooperation Agreement. If it is impracticable to comply immediately, the Parties shall endeavour to agree on a reasonable period of time to do so.

In the absence of such agreement within 45 days after the final report has been issued, either Party may request the original conciliation panel to determine the length of the reasonable period of time, in light of the particular circumstances of the case. The report of the conciliation panel shall be given within 15 days from that request. If compliance with the final report can be achieved through administrative or regulatory measures, the duration of the reasonable period of time shall not exceed 6 months. In other cases, the duration of such period shall not exceed 15 months.

5. The Party concerned shall notify to the other Party the implementing measures adopted in order to put an end to the violation of its obligations under the Partnership and Cooperation Agreement before the expiry of the reasonable period of time determined in accordance with paragraph 4. Upon that notification, any of the Parties may request the original conciliation panel to rule on the conformity of those measures with the Partnership and Cooperation Agreement. The report of the conciliation panel shall be given within 60 days from that request.

6. If the conciliation panel rules that the implementing measures notified by the Party concerned do not put an end to the violation of the Partnership and Cooperation Agreement, the Parties shall hold further consultations to reach a mutually acceptable agreement on the implementing measures.

If the Party concerned fails to notify the implementing measures before the expiry of the reasonable period of time determined in accordance with paragraph 4, or if the conciliation panel rules that the implementing measures notified by the Party concerned are inconsistent with the

Partnership and Cooperation Agreement and no mutually acceptable agreement has been reached within 30 days from the date of the ruling of that conciliation panel, the complaining Party shall be entitled to take appropriate measures in accordance with Article 107(2) of the Partnership and Cooperation Agreement.

7. In the selection of these measures priority must be given to those which least disturb the functioning of the Agreement.

8. The complaining Party shall notify the other Party and the Cooperation Council of the measures which it intends to take no later than 60 days before the date on which those measures are due to take effect. Within 15 days from that notification, any of the Parties may request the original conciliation panel to rule on whether the effects of the measures which the complaining Party intends to take are equivalent to those of the measure of the other Party found to be in violation of its obligations and whether the measures proposed by the complaining Party are in accordance with paragraphs 6 and 7.

The report of the conciliation panel shall be given within 45 days from that request. Appropriate measures shall not be taken until the conciliation panel has issued its ruling.

9. The appropriate measures shall be temporary and shall only be applied by the complaining Party until the measure found to violate the Partnership and Cooperation Agreement has been withdrawn or amended so as to bring it into conformity with the Partnership and Cooperation Agreement, or the Parties have reached agreement on a resolution of the dispute.

10. At the request of any of the Parties, the original conciliation panel shall report on the conformity with the Partnership and Cooperation Agreement of any implementing measures adopted after the application of appropriate measures and, in light of such ruling, whether the measures taken under Article 107(2) of the Partnership and Cooperation Agreement should be terminated or modified. The report of the conciliation panel shall be given within 30 days from the date of that request.

Article 7

General provisions

1. Without prejudice to the time limits established under the Partnership and Cooperation Agreement, any time period mentioned in these Rules of Procedure for Dispute Settlement may be extended by mutual agreement of the Parties.

2. Unless the Parties otherwise agree, the conciliation panel proceedings shall be conducted in accordance with the Model Rules set out in Annex. The Cooperation Committee may amend the Model Rules. The Cooperation Committee shall also complement the Model Rules with a Code of Conduct guaranteeing the independence and impartiality of conciliators.

3. Upon accession of the Russian Federation to the World Trade Organisation, and taking account of Article 4 of the Partnership and Cooperation Agreement, a Party shall have recourse exclusively to the dispute settlement mechanism of the World Trade Organisation when it considers that the other Party has failed to fulfil an obligation under the Partnership and

Cooperation Agreement that incorporates or refers to a provision under the Agreement establishing the World Trade Organisation, or an obligation under the Agreement establishing the World Trade Organisation.

4. Pending the accession of the Russian Federation to the World Trade Organisation, conciliation panels shall adopt an interpretation that is fully consistent with the relevant decisions of the Dispute Settlement Body of the World Trade Organisation when ruling on the alleged violation of a provision of the Partnership and Cooperation Agreement that incorporates or refers to a provision under the Agreement establishing the World Trade Organisation.

5. Conciliation panels will take account of the relevant judicial practice of the one of the Parties when ruling on the alleged violation of a provision of the Partnership and Cooperation Agreement that refers to application and interpretation of the national legislation of one of the Parties.

MODEL RULES OF PROCEDURE (REFERRED TO IN ARTICLE 7)

Definitions

1. In these rules:

“Rules for Dispute Settlement” means the Rules for Dispute Settlement adopted under Article 101(4) of the Partnership and Cooperation Agreement

“adviser” means a person retained by a party to advise or assist the Party in connection with the conciliation panel proceeding;

“complaining Party” means any Party that requests the establishment of a conciliation panel under the Rules for Dispute Settlement;

“conciliation panel” means a conciliation panel established pursuant to Article 3 of the Rules for Dispute Settlement;

“representative of a Party” means an employee of a government department or agency or of any other government entity of a Party;

2. The Parties may designate a specialised entity to administer the dispute settlement proceedings.

3. Unless the parties otherwise agree, the Parties shall meet with the conciliation panel within 15 days of the date of establishment of the conciliation panel in order to determine matters such as:

(a) remuneration and expenses that will be paid to the conciliators which normally shall conform to the WTO standards;

(b) the administration of proceedings, where the Parties have not designated a specialised entity pursuant to rule 2; and

- (c) such other matters that the Parties deem appropriate.

Qualification of Conciliators

4. Conciliators shall serve in their individual capacities and not as government representatives, nor as representatives of any organisation. They shall act in complete independence and shall not receive any guidance or instructions from any Party or any person having an interest, directly or indirectly, in the matter referred to the conciliation panel. They shall strictly respect the degree of confidentiality that the fulfilment of their task requires during and after the termination of their offices.

Terms of reference

5. Unless the Parties otherwise agree within 20 days from the date of delivery of the request for the establishment of the conciliation panel, the terms of reference shall be:

“To examine, in the light of the relevant provisions of the Partnership and Cooperation Agreement, the matter referred to the Cooperation Committee (as set out in the request for consultations within the Cooperation Committee meeting), and to rule on the consistency of the measures at issue with the Partnership and Cooperation Agreement.”

6. The parties shall promptly deliver any agreed terms of reference to the conciliation panel.

Written submissions and other documents

7. Where the Parties have designated an entity pursuant to rule 2, a Party or the conciliation panel, respectively, shall deliver any request, notice, written submissions or other document to that entity within the time frame established by the Parties when designating that entity. An entity designated under rule 2 that receives a written submission shall forward it to the recipients by the most expeditious means practicable.
8. Where the Parties have not designated an entity pursuant to rule 2, a Party or the conciliation panel, respectively, shall deliver any request, notice, written submission or other document in accordance with the agreement reached under rule 3.
9. A Party shall, to the extent practicable, provide a copy of the document in magnetic format.
10. Unless otherwise agreed pursuant to rule 3 a Party shall provide a copy of each of its written submissions for the other Party and each of the conciliators.
11. A complaining Party shall deliver its initial written submission no later than 25 days after the date of establishment of the conciliation panel. The Party complained against shall deliver its written counter-submission no later than 20 days after the date of delivery of the initial written submission.
12. Unless otherwise agreed pursuant to rule 3 in the case of any request, notice or other document related to the conciliation panel proceeding that is covered by rule 10 or 11,

the Party shall deliver to the other Party and to each of the conciliators a copy of the document by facsimile or other means of electronic transmission.

13. Minor errors of a clerical nature in any request, notice, written submission or other document related to the conciliation panel proceeding may be corrected by delivery of a new document clearly indicating the changes.
14. If the last day for delivery of a document falls on a legal holiday or on any other day on which the offices are closed by order of the government or by force majeure, the document may be delivered on the next business day.

Operation of conciliation panels

15. The chair of the conciliation panel shall preside at all of its meetings. An conciliation panel may delegate to the chair authority to make administrative and procedural decisions.
16. Except as otherwise provided in these Rules, the conciliation panel may conduct its business by any means, including by telephone, facsimile transmissions or computer links.
17. Only conciliators may take part in the deliberations of the conciliation panel but the conciliation panel may permit assistants, administration personnel, interpreters or translators to be present during any such deliberations. Any person attending such deliberations shall respect the degree of confidentiality that the fulfilment of this task requires during and after the termination of their offices.
18. Where a procedural question arises that is not covered by these rules, a conciliation panel may adopt an appropriate procedure that is not inconsistent with the Rules for Dispute Settlement.
19. When the conciliation panel considers there is a need to modify any time period applicable in the proceeding or to make any other procedural or administrative adjustment in the proceeding, it shall inform the Parties in writing of the reasons for the modification or adjustment with an estimate of the period or adjustment needed.

Hearings

20. Where the Parties have designated an entity pursuant to rule 2, the chair shall fix the date and time of the hearing in consultation with the Parties, the other members of the conciliation panel and such entity. That entity shall notify in writing to the Parties of the date, time and location of the hearing.
21. Where the Parties have not designated an entity pursuant to rule 2, the chair shall fix the date and time of the hearing in consultation with the Parties and the other members of the conciliation panel, in accordance with the agreement reached under rule 3. The Parties shall be notified in writing of the date, time and location of the hearing in accordance with the agreement reached under rule 3.

22. Unless the Parties otherwise agree the hearing shall be held in Brussels, where the complaining Party is the Russian Federation, or in Moscow, where the complaining Party is the Community.
23. The conciliation panel may convene additional hearings if the Parties so agree.
24. All conciliators shall be present at hearings.
25. The following persons may attend a hearing:
 - (a) representatives of a Party;
 - (b) advisers to a Party, provided that they do not address the conciliation panel and provided further that neither they or their employers, partners, business associates or family members have a financial or personal interest in the proceeding;
 - (c) administration personnel, interpreters, translators and court reporters; and
 - (d) conciliators' assistants;
26. No later than five days before the date of a hearing, each Party shall deliver a list of the names of those persons who will make oral arguments or presentations at the hearing on behalf of that Party and of other representatives or advisers who will be attending the hearing.
27. The hearing shall be conducted by the conciliation panel in the following manner, ensuring that the complaining Party and the Party complained against are afforded equal time;

Argument

- (a) Argument of the complaining Party.
- (b) Argument of the Party complained against.

Rebuttal Argument

- (a) Reply of the complaining Party
- (b) Counter-reply of the Party complained against.

28. The conciliation panel may direct questions to either Party at any time during a hearing.
29. Where the parties have designated an entity pursuant to rule 2, such entity shall arrange for a transcript of each hearing to be prepared and shall, as soon as possible after it is prepared, deliver a copy of the transcript to the Parties and the conciliation panel.
30. Where the Parties have not designated an entity pursuant to rule 2, a transcript of each hearing shall be prepared in accordance with the agreement reached under rule 3 and

shall, as soon as possible after it is prepared, be delivered to the Parties and the conciliation panel.

31. The conciliation panel may at any time during a proceeding address questions in writing to one or both Parties. The conciliation panel shall deliver the written questions to the Party or Parties to whom the questions are addressed.
32. A Party to whom the conciliation panel addresses written questions shall deliver a copy of any written reply. Each Party shall be given the opportunity to provide written comments on the reply within five days after the date of delivery.
33. Within 10 days after the date of the hearing, each Party may deliver a supplementary written submission responding to any matter that arose during the hearing.

Rules of interpretation and burden of proof

34. Conciliation panels shall interpret the provisions of the Partnership and Cooperation Agreement in accordance with rules of customary international public law.
35. A Party asserting that a measure of the other party is inconsistent with the provisions of the Partnership and Cooperation Agreement shall have the burden of proof of such inconsistency.
36. A Party asserting that a measure is subject to an exception under the Partnership and Cooperation Agreement shall have the burden of proof that the exception applies.

Confidentiality

37. The Parties, the conciliators, any experts involved in the preparation and the conduct of the proceedings, and any participants to the hearings shall maintain the confidentiality of the panel's hearings, deliberations and initial report, and all written submissions to and communications with the conciliation panel.

The conciliation panel may request information. Neither Party is required, however, to provide information if disclosure of that information to the requesting authority is prohibited by law of the Party who possesses the information or would be incompatible with important interests of that Party.

Confidential information whose dissemination is not prohibited, but legally restricted, or which, if disseminated, could adversely affect the interest of a Party, shall not be provided without written consent of the source of this information.

The conciliation panel shall maintain and ensure confidentiality of any information provided to it in confidence by a Party under the proceedings, and refuse any application for disclosure of such information by a third party that is not authorised by the Party that supplied the information.

Ex parte contacts

38. The conciliation panel shall not meet or contact one Party in the absence of the other Party.
39. No conciliator may discuss an aspect of the subject matter of the proceeding with a Party or both Parties in the absence of the other conciliators.

Role of Experts

40. On request of a Party or on its own initiative, the conciliation panel may seek information and technical advice from any person or body that it deems appropriate, provided that the Parties so agree and subject to such terms and conditions as the Parties may agree.
41. Where in accordance with rule 40 a request is made for a written report of an expert, any time period applicable to the conciliation panel proceeding shall be suspended for a period beginning on the date of delivery of the request and ending on the date the report is delivered to the conciliation panel.

Conciliation Panel Reports

42. Unless the Parties otherwise agree, the conciliation panel shall base its report on the submissions and arguments of the Parties and on any information before it pursuant to rule 40.
43. After considering written comments to the initial report by the Parties, the conciliation panel, on its own initiative or on the request of either Party may:
- (a) request the views of either Party;
 - (b) reconsider its report; and
 - (c) make any further examination that it considers appropriate.
44. Conciliators may furnish separate opinions on matters not unanimously agreed. A conciliation panel may not, either in its initial report or its final report, disclose which conciliators are associated with majority or minority opinions.

Cases of Urgency

45. In cases of urgency, the conciliation panel shall appropriately adjust the time periods for submission of the initial report and comments by the Parties to such report.

Translation and interpretation

46. Where the Parties have designated an entity pursuant to rule 2, a Party shall, within a reasonable period of time before it delivers its initial written submission in a conciliation panel proceeding, advise such entity in writing of the language in which its written and oral submissions will be made.

47. Where the Parties have not designated an entity pursuant to rule 2, a Party shall advise in writing of the language in which its written and oral submissions will be made, no later than at the meeting provided for in rule 3.
48. Each Party shall arrange for, and bear the costs of, the translation of its written submissions into the language chosen by the other Party in accordance with rule 46 or 47. Upon request of a Party that has filed a submission, the conciliation panel may suspend the proceeding for the time necessary to allow that Party to complete the translation.
49. The Parties shall arrange for the interpretation of oral submissions into the language chosen by both Parties.
50. Conciliation panel reports shall be issued in the language or languages chosen by the Parties in accordance with rule 46 or 47.
51. The costs incurred to prepare a translation of a conciliation report shall be borne equally by the Parties.
52. Any Party may provide comments on a translated version of a document that is prepared in accordance with these Rules.

Computation of time

53. Where anything under the Rules for Dispute Settlement or these rules is to be done, or the conciliation panel requires anything to be done, within a number of days after, before or of a specified date or event, the specified date or the date on which the specified event occurs shall not be included in calculating that number of days.
54. Where, by reason of the operation of rule 14 a Party receives a document on a date other than the date on which the same document is received by the other Party any period of time the calculation of which is dependent on such receipt shall be calculated from the date of receipt of the last such document.

Other proceedings

55. These rules shall apply to the proceedings established under paragraphs 4, 5, 8, and 10 of Article 6 of the Rules for Dispute Settlement except that :
 - (a) the Party making a request under paragraph 4 of Article 6 shall deliver its initial written submission within 3 days after the date the request is submitted and the responding Party shall deliver its written counter-submission within 4 days after the date of delivery of the initial written submission ;
 - (b) the Party making a request under paragraph 5 of Article 6 shall deliver its initial written submission within 10 days after the date the request is submitted and the responding Party shall deliver its counter-submission within 20 days after the date of delivery of the initial written submission ;

- (c) the Party making a request under paragraph 8 of Article 6 shall deliver its initial written submission within 10 days after the date the request is submitted and the responding Party shall deliver its written counter-submission within 15 days after the date of delivery of the initial written submission ; and
 - (d) the Party making a request under paragraph 10 of Article 6 shall deliver its initial written submission within 5 days after the date the request is submitted is selected and the responding Party shall deliver its written counter-submission within 10 days after the date of delivery of the initial written submission.
56. If appropriate, the conciliation panel shall fix the time limit for delivering any further written submissions, including rebuttal written submissions, so as to provide each Party with the opportunity to make an equal number of written submissions subject to the time limits for conciliation panel proceedings set out in the Agreement and these Rules.
57. Unless the Parties disagree, the conciliation panel may decide not to convene a hearing.
58. The expenses of conciliation proceedings shall be borne equally by the Parties. All other expenses of any Party shall be covered by this Party.

Done [by written procedure],

For the Cooperation Council

The Chairman

The Secretaries:

For the Russian Federation

For the European Community