

**The European Commission launches selection of candidates for the position of arbitrators and trade and sustainable development experts in bilateral disputes under the EU trade agreements**

**Updated on 28 January 2021: Extension of deadline to 15 February 2021 for candidates wishing to be considered for appointment in rosters for state-to-state dispute settlement and/or panels of experts under the EU-UK Trade and Cooperation Agreement:**

Following the signature of the Trade and Cooperation Agreement (TCA)<sup>1</sup> between the EU and the UK on 30 December 2020, the Commission considers it appropriate to extend the deadline for applications under the existing call for candidates under the state-to-state dispute settlement and/or panel of experts provisions of the TCA. For these candidates only, the deadline of applications has been **extended to 15 February 2021**. To apply for this role, candidates should specify this interest when submitting applications, which should follow the same formal requirements set out below.

The Commission draws the attention of potential candidates to the specific requirements for arbitrators set out in Article INST.16 [Requirements for arbitrators] of the TCA as well as to the scope of economic areas of cooperation that may be subject to dispute settlement, as set out in Article INST.10 [Scope], which includes areas such as fisheries, road transport, aviation and social security coordination.

Please note that, applications already received by the Commission since the launch of the call on 18 December 2020 will also be considered for the TCA rosters, provided the nationality requirements detailed below have been met. Therefore, candidates that have applied already or will apply before the deadline of 1 February 2021, 23h00 Brussels time do not need to re-apply.

**Original call for applications**

**The European Commission is inviting applications from individuals interested in serving in the arbitration panel and/or as part of the trade and sustainable development expert panel in bilateral disputes under EU trade agreements.**

Many of the trade and sustainable development (TSD) chapters and state-to-state dispute settlement mechanisms in EU's trade agreements rely on a pre-agreed list (roster) of individuals who may serve as panellists or experts in a specific case. The EU has to put forward candidates for the two of the three sub-lists of a roster: the sub-list of individuals for the EU (who are in

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<sup>1</sup> Trade and cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, OJ L 444, 31.12.2020, p. 14.

principle nationals of an EU Member State), and the sub-list of chairpersons who are neither nationals of an EU Member State or of a third country party to the trade agreement in question.

Disputes concerning the application of the trade agreement are typically submitted to an arbitration panel composed of an uneven number of arbitrators appointed in accordance with the agreement of the parties to the dispute. Similarly, trade and sustainable development experts may be called to be part of an expert panel tasked with settling disputes arising in the context of the implementation of the trade and sustainable development chapter of EU's trade agreements. In accordance with the applicable provisions of the relevant trade agreement, the arbitral tribunal or expert panel so constituted shall then render an award, or - in the case of a trade and sustainable development expert panel - a recommendation.

The European Commission is inviting applications from individuals interested in serving in an arbitration panel and/or as part of the trade and sustainable development expert panel in bilateral disputes under EU trade agreements. This invitation is part of an EU wide call for applications. Member States are organising similar calls for candidates. Candidates having the citizenship of one of the Member States (or dual citizenship) are advised to apply through their national selection process, but both options are available.

This selection procedure will create two pools of individuals (one for trade dispute settlement the other for trade and sustainable development dispute settlement). Candidates may apply to be in both pools, if they have the necessary qualifications. The Commission will draw from the pools for appointments in specific disputes and for the establishment of lists of candidates under existing EU trade agreements. These pools will be used for agreements which require such lists but where those lists are either yet to be established or where existing lists need to be updated, as well as future agreements.

**Interested individuals, nationals and non-nationals of EU Member States, who wish to be considered for inclusion on rosters are invited to submit their applications before 23:00h (Brussels's time) on 1 February 2021.**

#### **What criteria should the candidates fulfil?**

Candidates should have expertise in law, international trade, sustainable development and/or other matters covered by EU trade agreements. They should have the ability to conduct arbitration and / or expert panel proceedings, and to draft an arbitration award or a recommendation in one or more of the most likely working languages of such proceedings (i.e. English, French, or Spanish). Candidates should be independent and impartial from any organisation or government.

In addition, candidates for the sub-list of chairpersons need to demonstrate experience in dispute settlement. Only applicants who are not nationals of an EU Member State will be eligible for the sub-list of chairpersons.

As an example of the ethical requirements and expected tasks see the Code of Conduct and Rules of Procedure of the Agreement between the EU and Viet Nam [[link: https://trade.ec.europa.eu/doclib/press/index.cfm?id=1437](https://trade.ec.europa.eu/doclib/press/index.cfm?id=1437)], which is the latest bilateral trade agreement to have been approved by the Council and the European Parliament. The same rules apply to experts appointed to TSD rosters.

The objective of this call is to establish two diverse pools of qualified individuals ensuring gender equality and ensuring candidates from as many Member States as possible. Therefore, all suitable candidates are encouraged to submit their application. Individuals already appointed to rosters who wish to remain on the rosters as appointed do not need to reapply.

### **How to apply?**

Candidates who are nationals of an EU Member State are advised to contact the relevant authorities in their Member State for further information (see below for a list of Member State contact points – note that this list may be updated so candidates are advised to check before submitting their applications). They also have the option of submitting their application directly to the European Commission mailbox: [TRADE-F-CANDIDATES-PANELS@ec.europa.eu](mailto:TRADE-F-CANDIDATES-PANELS@ec.europa.eu).

Candidates who are not nationals of an EU Member State are invited to submit their application directly to the European Commission mailbox: [TRADE-F-CANDIDATES-PANELS@ec.europa.eu](mailto:TRADE-F-CANDIDATES-PANELS@ec.europa.eu).

Candidates are requested to indicate whether they wish to be considered for the pool of arbitrators and/or the pool of trade and sustainable development experts.

All applications have to consist of curriculum vitae (noting all nationalities held by the candidate), cover letter, and declaration of potential conflicts of interest. The conflicts of interest declaration should relate to any recent (within 5 years) or existing links to governmental organisations. Late or incomplete applications will not be considered. A further conflicts of interest declaration would also be required if and when an arbitrator or trade and sustainable development expert is asked to sit in a particular case.

### **Assessment procedure**

All timely and complete applications will be assessed by an independent selection panel, tasked with identifying the most suitable candidates in view of the requirements laid down in EU trade agreements. The selection panel will conduct its assessment on the basis of the candidates' curricula vitae, cover letters, and declarations of potential conflicts of interest; the selection panel may conduct interviews with the short-listed candidates. Further information on the European Commission's (Directorate General for Trade) webpage for dispute settlement (<https://ec.europa.eu/trade/policy/accessing-markets/dispute-settlement/>). The results of the assessment procedure with a list of successful candidates will be published on the same webpage.

Please note that the European Commission will not reimburse the candidates' travel expenses for attending a possible interview with the selection panel should such interviews take place in person.

Questions can be addressed to [TRADE-F-CANDIDATES-PANELS@ec.europa.eu](mailto:TRADE-F-CANDIDATES-PANELS@ec.europa.eu).

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List of Member State contact points (version of 28 January 2021)

<b>Member State</b>	<b>Contact</b>
Austria	Permanent Representation of Austria to the EU Avenue de Cortenbergh 30 1040 Brussels <a href="mailto:bruessel-ov@bmeia.gv.at">bruessel-ov@bmeia.gv.at</a>
Belgium	FPS Foreign Affairs Directorate General European Affairs Directorate E5 – EU Trade Policy and WTO Rue des Petits Carmes 15 Karmelietenstraat   B-1000 Brussels <a href="mailto:E5@diplobel.fed.be">E5@diplobel.fed.be</a>
Bulgaria	Permanent Representation of the Republic of Bulgaria 49, Square Marie-Louise, B-1000 Bruxelles <a href="mailto:Mission.BrusselsEU@bg-permrep.eu">Mission.BrusselsEU@bg-permrep.eu</a>
Croatia	Permanent Representation of the Republic of Croatia to the EU Rue d'Arlon 108 1000 Brussels <a href="mailto:hr.perm.rep@mvep.hr">hr.perm.rep@mvep.hr</a>
Cyprus	Permanent Representation of Cyprus to the EU 61 Avenue de Cortenbergh, 1000 Brussels, Belgium <a href="mailto:cy.perm.rep@mfa.gov.cy">cy.perm.rep@mfa.gov.cy</a>
Czech Republic	Ministry of Industry and Trade of the Czech Republic <a href="mailto:investment@mipo.cz">investment@mipo.cz</a>
Denmark	Ministry of Foreign Affairs Trade Policy Department, Att. Søren Rinder Asiatisk Plads 2 DK-1448 Copenhagen K <a href="mailto:HPA@um.dk">HPA@um.dk</a>
Estonia	Ministry of Foreign Affairs International Personnel Policy Coordinator Personnel Department

	Attn Ms Siiri Liivandi (Siiri.Liivandi@mfa.ee) Counsellor +372 637 7181   +372 53425670 www.vm.ee Islandi väljak 1, Tallinn
Finland	Permanent Representation of Finland to the EU Avenue de Cortenbergh 80 1000 BRUSSELS <a href="mailto:sanomat.EUE@formin.fi">sanomat.EUE@formin.fi</a>
France	14 Place de Louvain 1000 Bruxelles Belgique <a href="mailto:courrier.bruxelles-dfra@diplomatie.gouv.fr">courrier.bruxelles-dfra@diplomatie.gouv.fr</a>
Germany	Das Bundesministerium für Wirtschaft und Energie (BMWi) <a href="mailto:buero-va3@bmwi.bund.de">buero-va3@bmwi.bund.de</a>
Greece	Permanent Representation of Greece to the European Union 19-21 rue Jacques De Lalaing, 1040, Bruxelles <a href="mailto:mea.bruxelles@rp-grece.be">mea.bruxelles@rp-grece.be</a>
Hungary	Permanent Representation of Hungary to the European Union Rue de Trèves 92-98, 1040 Brussels <a href="mailto:sec.beu@mfa.gov.hu">sec.beu@mfa.gov.hu</a>
Ireland	Department of Enterprise, Trade & Employment <a href="mailto:trade@enterprise.gov.ie">trade@enterprise.gov.ie</a>
Italy	Permanent Representation of Italy to the European Union Rue du Marteau, 7-15 1000 Bruxelles <a href="mailto:rap.ue.bruxelles@cert.esteri.it">rap.ue.bruxelles@cert.esteri.it</a>
Latvia	Permanent Representation of the Republic of Latvia to the European Union Avenue des Arts 23, B-1000 Brussels <a href="mailto:permrep.eu@mfa.gov.lv">permrep.eu@mfa.gov.lv</a>
Lithuania	Permanent Representation of Lithuania to the European Union Rue Belliard 41-43 1040 Brussels <a href="mailto:office@eu.mfa.lt">office@eu.mfa.lt</a>
Luxembourg	Permanent Representation of Luxembourg to the European Union 75, avenue de Cortenbergh B-1000 Bruxelles <a href="mailto:bruxelles.rpue@mae.etat.lu">bruxelles.rpue@mae.etat.lu</a>
Malta	Permanent Representation of Malta to the European Union Rue Archimède 25 1000 Bruxelles <a href="mailto:maltarep@gov.mt">maltarep@gov.mt</a>
Netherlands	Permanent Representation of the Kingdom of the Netherlands to the European Union

	4-10, Avenue de Cortenbergh 1040 Brussels <a href="mailto:BRE@minbuza.nl">BRE@minbuza.nl</a>
Poland	Permanent Representation of the Republic of Poland to the European Union Rue Stevin 139 1000 Brussels <a href="mailto:bebrustpe@msz.gov.pl">bebrustpe@msz.gov.pl</a>
Portugal	Permanent Representation of Portugal to the European Union Avenue de Cortenbergh 12 1040 Bruxelles <a href="mailto:reper@reper-portugal.be">reper@reper-portugal.be</a>
Romania	Permanent Representation of Romania to the European Union 107 Avenue de Cortenbergh B - 1000 Brussels <a href="mailto:bru@rpro.eu">bru@rpro.eu</a>
Slovakia	Ministry of Economy of the Slovak Republic Mlynské Nivy 44/A 827 15 Bratislava <a href="mailto:vybor133@mhsr.sk">vybor133@mhsr.sk</a>
Slovenia	Permanent Representation of Slovenia to the European Union Rue du Commerce 44/Handelstraat 44 1000 – Bruxelles <a href="mailto:slomission.eu@gov.si">slomission.eu@gov.si</a>
Spain	Ministerio de Industria Comercio y Turismo. Secretaria de Estado de Comercio Dirección General de Política Comercial Paseo de la Castellana 162, 28046 Madrid. <a href="mailto:dgpocom.scc@mincotur.es">dgpocom.scc@mincotur.es</a> Teléfono: 0034 91 349 36 71.
Sweden	Permanent Representation of Sweden to the European Union Square de Meeûs 30/De Meeûssquare 30 1000 – Bruxelles <a href="mailto:representationen.bryssel@gov.se">representationen.bryssel@gov.se</a>