



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 19 July 2013**

**12478/13**

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**Interinstitutional File:  
2013/0261 (NLE)**

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**ACP 126  
COAFR 237  
PESC 907  
RELEX 675**

**"I" ITEM NOTE**

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from:	General Secretariat of the Council
to:	Permanent Representatives Committee
No. Cion prop.:	12477/13 - COM(2013) 543 final
Subject:	Draft Council Decision extending the validity of Decision 2012/96/EU = Agreement on the use of the written procedure for its adoption

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1. On 18 February 2002, the Council of the European Union decided to take appropriate measures following the conclusion of the consultations held with Zimbabwe under Article 96 of the Cotonou Agreement by means of Council Decision 2002/148/EC<sup>1</sup>. These measures were adapted on a number of occasions, lastly by Council Decision 2012/96/EU<sup>2</sup> of 17 February 2012 which was to expire on 20 August 2012. The period of application of these measures was however extended until 20 August 2013 by Council Decision 2012/470/EU<sup>3</sup> of 7 August 2012 which also suspended the application of appropriate measures.
2. In this context, on 19 July 2013, the Commission submitted to the Council a proposal for a Council Decision extending the validity of Decision 2012/96/EU<sup>4</sup>.

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<sup>1</sup> OJ L 50, 21.2.2002, p. 64.  
<sup>2</sup> OJ L 47, 18.2.2012, p. 47.  
<sup>3</sup> OJ L 213, 10.8.2012, p. 13.  
<sup>4</sup> 12477/13.

3. The ACP Working Party partially amended the abovementioned proposal and agreed on the text on 19 July 2013.
4. In accordance with Article 3 of the Annex to the Internal Agreement for the implementation of the ACP-EC Partnership Agreement<sup>5</sup>, the Decision should be adopted by the Council acting by qualified majority.
5. Since there is no Council meeting foreseen between the meeting of the Permanent Representatives Committee on 24 July and 20 August 2013 - date when the current Decision is set to expire - the Committee is invited to decide, pursuant to Article 19(7)(e) of the Council's Rules of Procedure, to use of the written procedure for adopting the Council Decision as set out in document JL 12480/13 ACP 127 COAFR 238 PESC 908 RELEX 676 after finalisation by the legal/linguistic experts.

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<sup>5</sup> Internal Agreement between the representatives of the governments of the Member States, meeting within the Council, of 18 September 2000 on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement (OJ L 317 of 15.12.2000, p. 376), as amended by Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, of 10 April 2006 amending the Internal Agreement of 18 September 2000 on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement (OJ L 247 of 9.9.2006, p. 48).