



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 25 October 2013
(OR. en)**

13694/13

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion, on behalf of the European Union and its Member States, of the Protocol to the Agreement on Cooperation and Customs Union between the European Community and its Member States, of the one part, and the Republic of San Marino, of the other part, regarding the participation, as a contracting party, of the Republic of Croatia, following its accession to the European Union

COUNCIL DECISION

of

**on the conclusion, on behalf of the European Union and its Member States,
of the Protocol to the Agreement
on Cooperation and Customs Union
between the European Community and its Member States, of the one part,
and the Republic of San Marino, of the other part,
regarding the participation, as a contracting party,
of the Republic of Croatia, following its accession to the European Union**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, in particular Article 207 and Article 352, in conjunction with Article 218(6)(a) and the second subparagraph of Article 218(8) thereof,

Having regard to the Act of Accession of Croatia, and in particular the second subparagraph of Article 6(2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

¹ OJ C , p. .

Whereas:

- (1) On 14 September 2012, the Council authorised the Commission to open negotiations with the Republic of San Marino for the adaptation, through the negotiation of a Protocol, of the Agreement on Cooperation and Customs Union between the European Community and its Member States, of the one part, and the Republic of San Marino, of the other part¹, regarding the Republic of Croatia's participation as a contracting party, in view of its accession to the European Union ("the Protocol").
- (2) The negotiations on the Protocol were conducted by the Commission and were recently concluded.
- (3) The European Parliament gave its consent to the conclusion of the Protocol on [...].
- (4) The Protocol should be concluded on behalf of the Union,

HAS ADOPTED THIS DECISION:

¹ OJ L 84, 28.3.2002, p. 43.

Article 1

The Protocol to the Agreement on Cooperation and Customs Union between the European Community and its Member States, of the one part, and the Republic of San Marino, of the other part, regarding the Republic of Croatia's participation, as a contracting party, following its accession to the European Union^{1*}, is hereby approved on behalf of the Union and its Member States.

Article 2

The President of the Council shall designate the person empowered on behalf of the Union and its Member States to deposit the instrument of approval provided for in Article 3 of the Protocol, in order to express the consent of the Union and its Member States to be bound by the Protocol².

Article 3

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

For the Council
The President

¹ The text of the Protocol has been published in OJ ..., together with the decision on signing.

* OJ: please insert OJ reference for st 13696/13.

² The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.