



**COUNCIL OF
THE EUROPEAN UNION**

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**PROBA 16
DEVGEN 86
RELEX 315
JUR 205**

“I/A” ITEM NOTE

from: Working Party on Commodities
to: COREPER/Council

No. Cion prop.: 10429/11 - COM(2011) 267 final

Subject: Draft Council Decision on the conclusion by the European Union of the amended
Constitution and Rules of Procedure of the International Rubber Study Group
- Adoption

1. The European Union became a member of the International Rubber Study Group (“the Group”) on the basis of Council Decision 2002/651/EC¹.
2. In 2008 the Group’s Executive Committee and Heads of Delegation decided to comprehensively revise the Group’s Constitution and Rules of Procedure.
3. In 2011 the Group’s Heads of Delegation agreed on the text of the amendments to the Group’s Constitution and Rules of Procedure.

¹ OJ L 215, 10.08.2002, p.13.

4. On 18 May 2011, the Commission presented two proposals: (1) a proposal for a Council Decision on the signing on behalf of the European Union, and provisional application of the amended Constitution and Rules of Procedure of the International Rubber Study Group² and (2) a proposal for a Council Decision on the conclusion by the European Union of the amended Constitution and Rules of Procedure of the International Rubber Study Group³.
The legal basis for the Decisions is Article 207(3) and (4) TFEU, in conjunction with Article 218(5) and (6) TFEU respectively.
5. On 22 July 2011, the Working Party on Commodities reached agreement on the draft Council Decision on the signing, on behalf of the European Union, and provisional application of the amended Constitution and Rules of Procedure of the International Rubber Study Group, as well as on the draft Decision on their conclusion.
6. On 12 September 2011, the Council adopted the Council Decision on the signing on behalf of the European Union, and provisional application of the amended Constitution and Rules of Procedure of the International Rubber Study Group⁴. On 13 September 2011 the European Union notified this decision to the Secretary General of the Group and since then has applied the amended Constitution and Rules of Procedure of the International Rubber Study Group.
7. According to Article 218(6)(a) TFEU the conclusion of this text requires the consent of the European Parliament, which was given on 29 March⁵.
8. In preparation for the conclusion by the European Union of the amended Constitution and Rules of Procedure of the Group, the Permanent Representatives Committee is invited to suggest that, as an "A" item at a forthcoming meeting, the Council decides to adopt the Council Decision on the conclusion of the amended Constitution and Rules of Procedure of the Group, as set out in document 13123/11 following finalisation by the Legal/Linguistic experts.

² Doc. 10430/11 – COM(2011) 279 final.

³ Doc. 10429/11 – COM(2011) 267 final.

⁴ OJ L 264, 08.10.2011, p. 12-13. The text of the amended Constitution and Rules of Procedure was published in OJ L 264, 08.10.2011, p. 14-24.

⁵ P7_TA-PROV(2012)0098.