



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 21 June 2012

11691/12

**Interinstitutional File:
2008/0251 (AVC)**

**ACP 109
COAFR 180
RELEX 581
WTO 235**

“I/A” ITEM NOTE

from:	ACP Working Party
to:	COREPER/Council
No. Cion prop.:	5112/09 - COM(2008) 861 final
Subject:	Proposal for a Council Decision concluding the interim agreement establishing a framework for an Economic Partnership Agreement between Eastern and Southern Africa States on the one part and the European Community and its Member States on the other part - Request by the Council for consent of the European Parliament

1. On 16 December 2008, the Commission presented to the Council a proposal for a Council Decision on the signature and provisional application of the interim agreement establishing a framework for an Economic Partnership Agreement between Eastern and Southern Africa States on the one part and the European Community and its Member States on the other part.
2. On 13 July 2009, the Council adopted a decision on the signing and provisional application of the Agreement. The Agreement was signed with the Republic of Madagascar, the Republic of Mauritius, the Republic of Seychelles and the Republic of Zimbabwe on 29 August 2009. The Agreement has not been signed by Union of Comoros and the Republic of Zambia.

3. On 3 May 2012, the European Union, the Republic of Madagascar, the Republic of Mauritius, the Republic of Seychelles and the Republic of Zimbabwe have completed the procedures necessary for the provisional application of the Agreement, in accordance with Article 62 of the Agreement. Consequently, the Agreement has been provisionally applied, as from 14 May 2012, between the European Union and the four abovementioned countries.
4. On 16 December 2008, the Commission presented to the Council a proposal for a Council Decision concluding the Agreement.
5. In preparation for the conclusion of the agreement, the Permanent Representatives Committee is invited to suggest that, as an "A" item at a forthcoming meeting, the Council decide to forward the draft Decision on the conclusion of the Agreement, as set out, following finalisation by the Legal/Linguistic experts in document 11699/12, as well as the text of the Agreement as already contained in 5556/09 + ADD 1-35, to the European Parliament for consent.
