



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 6 July 2012

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**Interinstitutional File:
2011/0249 (NLE)**

**WTO 255
AMLAT 36
SERVICES 57
COMER 169**

"I/A" ITEM NOTE

from : Trade Policy Committee

to : Permanent Representatives Committee/Council

No. Cion prop. : 14760/11 WTO 326 AMLAT 81 SERVICES 93 COMER 187 + ADD 1-32

Subject : Draft Council Decision on the conclusion of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part

- Revised request by the Council for the consent of the European Parliament

- Draft letter to the Chairman of INTA

1. The Council Decision on the signing, on behalf of the Union, and provisional application of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, as contained in doc. 14759/11 WTO 325 AMLAT 80 SERVICES 92 COMER 186 + REV1 (cs) (text finalised by the legal/linguistic experts) and 14764/11 WTO 329 AMLAT 84 SERVICES 96 COMER 193 +REV1+ REV 1 COR 1 (de)+ REV 1 COR 2 (es)+ REV 2 (hu), 14764/11 ADD 1+ REV 1+ REV 1 COR 1+ REV 2 (hu), 14764/11 ADD 2, 14764/11 ADD 3, 14764/11 ADD 4, 14764/11 ADD 5, 14764/11 ADD 6, 14764/11 ADD 7, 14764/11 ADD 8 + REV 1 (hu), 14764/11 ADD 9, 14764/11 ADD 10, 14764/11 ADD 11, 14764/11 ADD 12, 14764/11 ADD 13, 14764/11 ADD 14, 14764/11 ADD 15, 14764/11 ADD 16, 14764/11 ADD 17, 14764/11 ADD 18, 14764/11 ADD 19, 14764/11 ADD 20, 14764/11 ADD 21, 14764/11 ADD 22, 14764/11 ADD 23+ REV 1, 14764/11 ADD 24+ REV 1, 14764/11 ADD 25+ REV 1, 14764/11 ADD 26, 14764/11 ADD 27+ REV 1+ REV 2 (hu), 14764/11 ADD 28+REV 1, 14764/11 ADD 29+ REV 1+ REV 1 COR 1 (es), 14764/11 ADD 30+ REV 1+ REV 1 COR 1+REV 2 (hu)+ REV 2 COR 1 (hu)+ REV 3 (cs), 14764/11 ADD 31+ REV 1 (text finalised by the legal/linguistic experts), was adopted by the Foreign Affairs Council (Trade) on 31 May 2012.

2. The Agreement was signed on 26 June 2012, subject to its conclusion at a later date.

3. With a view to preparing for conclusion of the Agreement, on 31 May 2012, the Council decided to forward the draft Council Decision on the conclusion of of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, as contained in doc. 14762/11 WTO 328 AMLAT 83 SERVICES 95 COMER 189 (text finalised by the legal/linguistic experts) as well as the text of the Agreement as contained in doc. 14764/11 WTO 329 AMLAT 84 SERVICES 96 COMER 193 +REV1+ REV 1 COR 1 (de)+ REV 1 COR 2 (es)+ REV 2 (hu), 14764/11 ADD 1+ REV 1+ REV 1 COR 1+ REV 2 (hu), 14764/11 ADD 2, 14764/11 ADD 3, 14764/11 ADD 4, 14764/11 ADD 5, 14764/11 ADD 6, 14764/11 ADD 7, 14764/11 ADD 8 + REV 1 (hu), 14764/11 ADD 9, 14764/11 ADD 10, 14764/11 ADD 11, 14764/11 ADD 12, 14764/11 ADD 13, 14764/11 ADD 14, 14764/11 ADD 15, 14764/11 ADD 16, 14764/11 ADD 17, 14764/11 ADD 18, 14764/11 ADD 19, 14764/11 ADD 20, 14764/11 ADD 21, 14764/11 ADD 22, 14764/11 ADD 23+ REV 1, 14764/11 ADD 24+ REV 1, 14764/11 ADD 25+ REV 1, 14764/11 ADD 26, 14764/11 ADD 27+ REV 1+ REV 2 (hu), 14764/11 ADD 28+REV 1, 14764/11 ADD 29+ REV 1+ REV 1 COR 1 (es), 14764/11 ADD 30+ REV 1+ REV 1 COR 1+REV 2 (hu)+ REV 2 COR 1 (hu)+ REV 3 (cs), 14764/11 ADD 31+ REV 1 (text finalised by the legal/linguistic experts) to the European Parliament for its consent.

4. Following a letter from the Chairman of INTA, Professor Moreira, dated 4 June 2012, sent to the Minister for Trade and Investment of Denmark, and to the Trade Commissioner concerning the provisions, which confer implementing powers, included in some Council Decisions to conclude international trade agreements on 6 July 2012, the Trade Policy Committee (Deputies) re-examined the text of the draft Council Decision on the conclusion, and endorsed the revised draft Council Decision on the conclusion as set out in doc. 14762/1/11 REV 1 WTO 328 AMLAT 83 SERVICES 95 COMER 189 (text finalised by the legal/linguistic experts). The Trade Policy Committee also endorsed the Presidency suggestion to send a letter to the Chairman of INTA, Professor Moreira.

5. It is therefore suggested that the Permanent Representatives Committee invite the Council to:

- forward the revised version of the draft Council Decision on the conclusion as contained in doc. 14762/1/11 REV 1 WTO 328 AMLAT 83 SERVICES 95 COMER 189 (text finalised by the legal/linguistic experts) as well as the text of the Agreement as contained in doc. 14764/11 WTO 329 AMLAT 84 SERVICES 96 COMER 193 +REV1+ REV 1 COR 1 (de)+ REV 1 COR 2 (es)+ REV 2 (hu), 14764/11 ADD 1+ REV 1+ REV 1 COR 1+ REV 2 (hu), 14764/11 ADD 2, 14764/11 ADD 3, 14764/11 ADD 4, 14764/11 ADD 5, 14764/11 ADD 6, 14764/11 ADD 7, 14764/11 ADD 8 + REV 1 (hu), 14764/11 ADD 9, 14764/11 ADD 10, 14764/11 ADD 11, 14764/11 ADD 12, 14764/11 ADD 13, 14764/11 ADD 14, 14764/11 ADD 15, 14764/11 ADD 16, 14764/11 ADD 17, 14764/11 ADD 18, 14764/11 ADD 19, 14764/11 ADD 20, 14764/11 ADD 21, 14764/11 ADD 22, 14764/11 ADD 23+ REV 1, 14764/11 ADD 24+ REV 1, 14764/11 ADD 25+ REV 1, 14764/11 ADD 26, 14764/11 ADD 27+ REV 1+ REV 2 (hu), 14764/11 ADD 28+REV 1, 14764/11 ADD 29+ REV 1+ REV 1 COR 1 (es), 14764/11 ADD 30+ REV 1+ REV 1 COR 1+REV 2 (hu)+ REV 2 COR 1 (hu)+ REV 3 (cs), 14764/11 ADD 31+ REV 1 (text finalised by the legal/linguistic experts) to the European Parliament for its consent,
- send to the Chairman of INTA, Professor Moreira the letter set out in Annex.

Draft letter to the INTA Chairman

Subject: **Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, on the other part**

- Modification of draft Council Decision on the conclusion
(doc. 14762/1/11 REV 1 WTO 328 AMLAT 83 SERVICES 95 COMER 189)

Dear Professor Moreira,

Further to the reply of Minister Pia Olsen Dyhr of 19 June 2012 to your letter dated 4 June 2012, the Cyprus Presidency would like to inform you that the Council decided on 10 July 2012 to forward to the European Parliament a modified draft Council Decision on the conclusion of the above-mentioned Agreement (doc. 14762/1/11 REV 1 WTO 328 AMLAT 83 SERVICES 95 COMER 189), updating the formal consent request transmitted to you on 28 June 2012.

Without prejudice to the final Council position on the Commission proposal for a *Regulation of the European Parliament and of the Council implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Trade Agreement between the European Union and Colombia and Peru* (doc. 15088/11) and the outcome of negotiations in respect of that Regulation, the Cyprus Presidency would like to inform you about the readiness of the Council to consider favourably the inclusion of the provision contained in Article 5 of the Commission proposal for a *Council Decision on the conclusion of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part* (doc. 14760/11) into the above-mentioned Regulation.

Yours Sincerely,

[Name and signature]

Professor Vital Moreira, M.E.P., Chairman of INTA Committee

European Parliament

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