



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 16 July 2012
(OR. en)**

12213/12

**Interinstitutional File:
2012/0167 (NLE)**

**WTO 252
AGRI 488
UD 201
USA 19
OC 385**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the United States of America pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union

COMMON GUIDELINES

Consultation deadline for Croatia: 17.7.2012

COUNCIL DECISION No .../2012/EU

of ...

**on the conclusion of the Agreement in the form of an Exchange of Letters
between the European Union and the United States of America
pursuant to Article XXIV:6 and Article XXVIII of the General Agreement
on Tariffs and Trade (GATT) 1994 relating to the modification
of concessions in the schedules of the Republic of Bulgaria and Romania
in the course of their accession to the European Union**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with point (v) of Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) On 29 January 2007 the Council authorised the Commission to open negotiations with certain other Members of the World Trade Organization under Article XXIV:6 of the General Agreement on Tariffs and Trade (GATT) 1994 in the course of the accession to the European Union of the Republic of Bulgaria and Romania.
- (2) Negotiations have been conducted by the Commission within the framework of the negotiating directives adopted by the Council.
- (3) These negotiations have been concluded and the Agreement in the form of an Exchange of Letters between the European Union and the United States of America pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union ('the Agreement') was initialled by a representative of the European Union on 21 December 2011 and by a representative of the United States of America on 17 February 2012.
- (4) The Agreement was signed on behalf of the European Union on [...]*, subject to its conclusion at a later date, in accordance with Council Decision [...]1**.
- (5) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

* OJ: Please insert the date of signature of the agreement in doc. st12214/12.

1 OJ L [...], [...], p. [...].

** OJ: Please insert the number and publication reference of the decision in doc. st12212/12.

Article 1

The Agreement in the form of an Exchange of Letters between the European Union and the United States of America pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union ('the Agreement') is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to give, on behalf of the Union, the notification provided for in the Agreement¹.

Article 3

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

Done at ...

For the Council

The President

¹ The date of entry into force of the Agreement will be published in the Official Journal of the European Union by the General Secretariat of the Council.