



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 20 November 2012

16206/12

**Interinstitutional File:
2012/0311 (NLE)**

**ACP 223
COAFR 361
PESC 1387
RELEX 1038
OC 642**

“I/A” ITEM NOTE

from: ACP Working Party

to: Permanent Representatives Committee / Council

No. Cion prop.: 16145/12 - COM(2012) 653 final

Subject: Draft Council Decision extending the application period of Decision 2010/371/EU of 7 June 2010 concerning the conclusion of consultations with the Republic of Madagascar under Article 96 of the ACP-EU Partnership Agreement
- Adoption

COMMON GUIDELINES

Consultation deadline for Croatia: 30.11.2012

1. On 6 June 2010, the Council of the European Union decided to conclude consultations with the Republic of Madagascar and to take appropriate measures under Article 96 of the ACP-EU Partnership Agreement by means of Council Decision 2010/371/EU¹. This Decision was amended and its period of application was prolonged, lastly by means of Council Decision 2011/808/EU of 5 December 2011², which will expire on 6 December 2012.

¹ OJ L 169, 3.7.2010, p. 13.

² OJ L 324, 7.12.2011, p. 1.

2. On 13 November 2012, the Commission forwarded to the Council a proposal for a Council Decision extending the application period of Decision 2010/371/EU, with a draft letter to the Interim President of the Republic of Madagascar attached thereto³.
3. The ACP Working Party discussed the abovementioned proposal and agreed on the text of the draft Council Decision on 15 November 2012.
4. In accordance with Article 3 of the Annex to the Internal Agreement for the implementation of the ACP-EC Partnership Agreement⁴, the Decision should be adopted by the Council acting by qualified majority.
5. The Permanent Representatives Committee is accordingly invited to recommend that the Council as an “A” item on its agenda:
 - adopt the Decision, as set out in document 16208/12 ACP 224 COAFR 362 PESC 1388 RELEX 1039 OC 643, after finalisation by the legal/linguistic experts;
 - agree to send the letter attached to that Decision to the Interim President of the Republic of Madagascar;
 - decide to publish the Decision and the attached letter in the Official Journal of the European Union.

³ Doc. 16145/12.

⁴ Internal Agreement between the representatives of the governments of the Member States, meeting within the Council, of 18 September 2000 on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement (OJ L 317 of 15.12.2000, p. 376), as amended by Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, of 10 April 2006 amending the Internal Agreement of 18 September 2000 on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement (OJ L 247 of 9.9.2006, p. 48).