



Council of the
European Union

Brussels, 4 October 2016
(OR. en)

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion of the stepping stone Economic Partnership Agreement between Ghana, of the one part, and the European Community and its Member States, of the other part

COUNCIL DECISION (EU) 2016/...

of ...

**on the conclusion
of the stepping stone Economic Partnership Agreement
between Ghana, of the one part,
and the European Community and its Member States,
of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(3), Article 207(4) first subparagraph and Article 209(2) in conjunction with Article 218(6)(a), thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

¹ Consent of ... (not yet published in the *Official Journal*).

Whereas:

- (1) The Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000, calls for the conclusion of WTO-compatible Economic Partnership Agreements.
- (2) On 12 June 2002, the Council authorised the Commission to open negotiations for Economic Partnership Agreements with members of the African, Caribbean and Pacific Group of States.
- (3) Negotiations for a stepping stone Economic Partnership Agreement (hereinafter the 'Agreement') have been concluded with Ghana and the Agreement has been initialled on 13 December 2007.
- (4) In accordance with Council Decision (EU) 2016/...^{1*}, the Agreement was signed on 28 July 2016 subject to its conclusion at a later date.
- (5) The Agreement has been provisionally applied since [...] pending its entry into force.

¹ OJ L ..., ..., p.

* Delegations: see document st 12130/08 + ADD 1-4.

- (6) As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community. Accordingly, references to ‘the European Community’ in the text of the Agreement are, where appropriate, to be read as references to ‘the European Union’.
- (7) The Republic of Croatia acceded to the European Union on 1 July 2013. The Republic of Croatia deposited its Act of Accession with the General Secretariat of the Council of the European Union, which sent certified copies to the Ghanaian Party.
- (8) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The stepping stone Economic Partnership Agreement between Ghana, of the one part, and the European Community and its Member States, of the other part, is hereby approved on behalf of the Union¹.

Article 2

The President of the Council shall designate the person(s) empowered to deposit, on behalf of the Union, the instrument of approval provided for in Article 75 of the Agreement, in order to express the consent of the Union to be bound by the Agreement².

Article 3

The Agreement shall not be construed as conferring rights or imposing obligations which can be directly invoked before Union or Member State courts and tribunals.

¹ The text of the Agreement has been published in OJ L ... together with the decision on signature.

² 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.

Article 4

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

Done at ...,

For the Council

The President
