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2017/0185 (NLE)

COEST 213
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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	3 August 2017
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2017) 413 final
Subject:	Proposal for a COUNCIL DECISION on the conclusion, on behalf of the European Union and its Member States, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, to take account of the accession of the Republic of Croatia to the European Union

Delegations will find attached document COM(2017) 413 final.

Encl.: COM(2017) 413 final



EUROPEAN
COMMISSION

Brussels, 3.8.2017
COM(2017) 413 final

2017/0185 (NLE)

Proposal for a

COUNCIL DECISION

on the conclusion, on behalf of the European Union and its Member States, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, to take account of the accession of the Republic of Croatia to the European Union

EXPLANATORY MEMORANDUM

The Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, hereinafter referred to as 'the Agreement', was signed in Brussels on 9 February 1995 and entered into force on 1 July 1999.

According to its Act of Accession, Croatia undertakes to accede to the international agreements signed or concluded by the European Union and its Member States by means of a protocol to those agreements.

The Council Decision of 14 September 2012 authorised the Commission to open negotiations with the third countries concerned, in order to conclude the relevant protocols. Negotiations with the Kyrgyz Republic were successfully concluded by exchange of notes verbales.

The proposed Protocol incorporates the Republic of Croatia as a contracting party to the Agreement and commits the Union to providing the authentic version of the Agreement in the Croatian language.

The Commission requests the Council to conclude, on behalf of the European Union and its Member States, the Protocol.

The European Parliament will be called upon to give its consent to the Protocol.

Proposal for a

COUNCIL DECISION

on the conclusion, on behalf of the European Union and its Member States, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, to take account of the accession of the Republic of Croatia 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 Articles 207 and 209 in conjunction with Article 218(6)(a) thereof,

Having regard to the Act of Accession of the Republic of Croatia, and in particular Article 6 (2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament;

Whereas

- (1) In accordance with Council Decision No.../.../EU¹, the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, to take account of the accession of the Republic of Croatia to the European Union ('the Protocol') has been signed on ...[*Please insert date*], subject to its conclusion at a later date.
- (2) The conclusion of the Protocol is subject to a separate procedure as regards matters falling within the competence of the European Atomic Energy Community.
- (3) The Protocol should be approved on behalf of the Union and its Member States,

¹ Council Decision No .../.../EU of on the signing, on behalf of the European Union and its Member States, and provisional application, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, to take account of the accession of the Republic of Croatia to the European Union (OJ L...)

HAS ADOPTED THIS DECISION:

Article 1

The Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Kyrgyz Republic, of the other part, to take account of the accession of the Republic of Croatia to the European Union is hereby approved on behalf of the European Union and its Member States.

The text of this Protocol is attached to this Decision.

Article 2

The President of the Council shall designate the person empowered to proceed, on behalf of the Union and its Member States, to the notification provided for in Article 4(1) of the Protocol.

Article 3

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

Done at Brussels,

For the Council
The President