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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	26 January 2015
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2015) 18 final
Subject:	Proposal for a COUNCIL DECISION on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning amending the rules of procedure of the EEA Joint Committee (Croatia Enlargement)

Delegations will find attached document COM(2015) 18 final.

Encl.: COM(2015) 18 final



Brussels, 26.1.2015
COM(2015) 18 final

2015/0011 (NLE)

Proposal for a

COUNCIL DECISION

**on the position to be adopted, on behalf of the European Union,
within the EEA Joint Committee concerning amending the rules of procedure of the
EEA Joint Committee
(Croatia Enlargement)**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

The draft Decision of the EEA Joint Committee (annexed to the proposed Council Decision) aims to amend the rules of procedure of the EEA Joint Committee reflecting the Agreement on the participation of the Republic of Croatia in the European Economic Area (“the 2014 EEA Enlargement Agreement”), signed on 11 April 2014 in Brussels.

The 2014 EEA Enlargement Agreement has been provisionally applicable to its signatories since 12 April 2014.

The 2014 EEA Enlargement Agreement amends Article 129(1) of the EEA Agreement to add Croatian to the list of languages of the EEA Agreement.

The rules of procedure of the EEA Joint Committee, which were adopted by Decision of the EEA Joint Committee No 1/94 of 8 February 1994 and amended by Decision of the EEA Joint Committee No 24/2005 of 8 February 2005¹, should therefore be amended accordingly.

The Decision of the EEA Joint Committee is to apply provisionally pending the entry into force of the 2014 EEA Enlargement Agreement.

3. LEGAL ELEMENTS OF THE PROPOSAL

Article 1(3) (b) first indent of Council Regulation (EC) No 2894/94 concerning arrangements for implementing the EEA Agreement provides that for the purpose of adopting the Union's position regarding EEA Joint Committee decisions other than those which extend Union legislation to the EEA, the Council acts, on a proposal from the Commission, by a simple majority when the decision relates to the Committee's Rules of Procedure or a question of procedure.

The Commission submits the Draft Decision of the EEA Joint Committee for adoption by the Council as the Union's position. The Commission would hope to be able to present it in the EEA Joint Committee at the earliest possible opportunity.

¹ OJ L 161, 23.6.2005, p. 54.

Proposal for a

COUNCIL DECISION

**on the position to be adopted, on behalf of the European Union,
within the EEA Joint Committee concerning amending the rules of procedure of the
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(Croatia Enlargement)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area², and in particular Article 1(3) (b) first indent thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the participation of the Republic of Croatia in the European Economic Area³ (“the 2014 EEA Enlargement Agreement”) signed on 11 April 2014 in Brussels, amends Article 129(1) of the EEA Agreement to add Croatian to the list of languages of the EEA Agreement.
- (2) The rules of procedure of the EEA Joint Committee, which were adopted by Decision of the EEA Joint Committee No 1/94 of 8 February 1994⁴ and amended by Decision of the EEA Joint Committee No 24/2005 of 8 February 2005⁵, should therefore be amended accordingly.
- (3) The 2014 EEA Enlargement Agreement has been provisionally applicable to its signatories since 12 April 2014, and the Decision of the EEA Joint Committee should therefore apply provisionally pending the entry into force of the 2014 EEA Enlargement Agreement.
- (4) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft Decision.

² OJ L 305, 30.11.1994, p. 6.

³ OJ L ...

⁴ OJ L 85, 30.3.1994, p. 60.

⁵ OJ L 161, 23.6.2005, p. 54.

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the European Union, within the EEA Joint Committee on the proposed amendment of the rules of procedure of the EEA Joint Committee, shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Brussels,

*For the Council
The President*