



Council of the
European Union

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"I/A" ITEM NOTE

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| From: | General Secretariat of the Council |
| To: | Permanent Representatives Committee/Council |
| No. Cion doc.: | 6025/15 WTO 40 + ADD1 + ADD2 |
| Subject: | Draft Council Decision on the conclusion, on behalf of the European Union, of the Protocol Amending the Marrakesh Agreement Establishing the World Trade Organization - Adoption |

1. On 6 February 2015, the Commission submitted to the Council its proposal mentioned above¹.
2. On 17 March 2015, in accordance with Article 218(6)(a)(v) TFEU, the Council decided to forward the draft Decision on the conclusion of the Protocol Amending the Marrakesh Agreement Establishing the World Trade Organization and the said Protocol, as finalised by the Legal Linguistic experts and set out in documents 6040/15, 6041/15 + COR 1 (de) and 6043/15, to the European Parliament for its consent.
3. The European Parliament provided its consent to the conclusion of the Protocol on 9 September 2015.
4. The draft Council Decision on the conclusion of the Agreement was endorsed by the Trade Policy Committee (Deputies) on 11 September 2015. The Committee also agreed the text of a draft Joint Council and Commission statement.

¹ Doc. 6025/15 WTO 40 + ADD1 + ADD2.

5. The Permanent Representatives' Committee is therefore invited to recommend that the Council:
- adopt, as an "A" item on the agenda of one of its forthcoming meetings, the draft Council Decision on the conclusion of the Protocol, as finalised by legal/linguistic experts and set out in documents 6040/15, 6041/15 + COR 1 (de) and 6043/15; and
 - agree to enter into its minutes the Joint Council and Commission statement set out in Annex to this note.
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**Joint Council and Commission statement on article 11(3) of the Agreement on Trade
Facilitation**

The Council and the Commission recall that article 11(3) simply confirms the balance of rights and obligations with regard to WTO rules applicable to traffic in transit and related existing national transport regulations and bilateral and multilateral arrangements.

The Council and the Commission consider that this article does not affect the situation with respect to existing or future national regulations or bilateral or multilateral transport arrangements including traffic permit requirement systems.
