



Council of the
European Union

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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	18 February 2016
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

No. Cion doc.:	COM(2016) 66 final
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Subject:	Recommendation for a COUNCIL DECISION approving the conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States and Turkmenistan to take account of the accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Croatia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic to the European Union
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Delegations will find attached document COM(2016) 66 final.

Encl.: COM(2016) 66 final



Brussels, 18.2.2016
COM(2016) 66 final

Recommendation for a

COUNCIL DECISION

approving the conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States and Turkmenistan to take account of the accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Croatia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic to the European Union

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EXPLANATORY MEMORANDUM

The attached proposal constitutes the legal instrument for the Recommendation for a Council Decision approving the conclusion of the Protocol, by the European Commission, on behalf of the European Atomic Energy Community, to the Partnership and Cooperation Agreement between the European Communities and their Member States and Turkmenistan to take account of the accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Croatia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic to the European Union to the European Union

- (i) Recommendation for a Council Decision approving the conclusion of the Protocol, by the European Commission, on behalf of the European Atomic Energy Community.

This proposal is presented jointly with a:

- (ii) Proposal for a Council Decision on the signature of the Protocol on behalf of the European Union and its Member States;
- (iii) Proposal for a Council Decision on the conclusion of the Protocol on behalf of the European Union and its Member States;

According to the Acts of Accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Croatia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic to the European Union, the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Croatia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic are to accede to international agreements signed or concluded by the European Union and its Member States by means of a protocol to those agreements.

The Partnership and Cooperation Agreement between the European Communities and its Member States, of the one part, and Turkmenistan, of the other part, hereinafter referred to as 'the Agreement', was signed in Brussels on 25 May 1998 (*the Agreement is currently undergoing ratification and has not yet entered into force*).

The proposed Protocol incorporates the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Croatia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic as contracting parties to the Agreement and commits the EU to providing the authentic version of the Agreement in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Italian, Latvian, Lithuanian, Hungarian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages.

The Commission has judged the results of the negotiations to be satisfactory and requests the Council to adopt a Council Decision approving the conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States and

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Turkmenistan to take account of the accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Croatia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic to the European Union.

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Recommendation for a

COUNCIL DECISION

approving the conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States and Turkmenistan to take account of the accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Croatia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) In accordance with Article 6(2) of the 2003 Act of Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic, Article 6(2) of the 2005 Act of Accession of the Republic of Bulgaria and Romania, Article 6(2) of the 2011 Act of Accession of the Republic of Croatia, the accession to the Partnership and Cooperation Agreement between the European Communities and its Member States, of the one part, and Turkmenistan, of the other part ('the Agreement') is to be agreed by means of a protocol to the Agreement. In accordance with Article 6(2) of the 2003, 2005 and 2011 Acts of Accession, a simplified procedure is to apply to such accessions, whereby a protocol is to be concluded by the Council, acting unanimously on behalf of the Member States, and by the third countries concerned.
- (2) On 8 December 2003, the Council authorised the Commission, on behalf of the Community and its Member States, to negotiate with Turkmenistan a Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Turkmenistan, of the other part to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union.
- (3) On 23 October 2006, the Council authorised the Commission, on behalf of the Community and its Member States, to negotiate with Turkmenistan a Protocol to the

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Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Turkmenistan, of the other part to take account of the accession of the Republic of Bulgaria and Romania to the European Union.

- (4) On 14 September 2012, the Council authorised the Commission to open negotiations with the third countries concerned¹ on the adaptation of agreements signed or concluded between the European Union, or the European Union and its Member States, in view of the accession of the Republic of Croatia to the European Union.
- (5) The conclusion, by the Commission, of the Protocol should be approved as regards matters falling within the competence of the European Atomic Energy Community.
- (4) The signature and conclusion of the Protocol are subject to a separate procedure as regards matters falling within the competence of the Union and its Member States,

HAS ADOPTED THIS DECISION:

Sole Article

The conclusion by the European Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States and Turkmenistan to take account of the accession of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Croatia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, Hungary, the Republic of Malta, the Republic of Poland, Romania, the Republic of Slovenia and the Slovak Republic to the European Union, is hereby approved.

The text of the Protocol is attached to the Decision on its signature.

Done at Brussels,

*For the Council
The President*

¹ Council Decision authorising the opening of negotiations for the adaptation of agreements signed or concluded between the European Union, or the European Union and its Member States, with one or more third countries or international organisations, in view of the accession of the Republic of Croatia to the European Union (Council doc. 13351/12 LIMITED)

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