



Council of the  
European Union

Brussels, 26 February 2018  
(OR. en)

15782/17

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**Interinstitutional File:**  
**2017/0033 (NLE)**

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**MOG 89**  
**IRAQ 12**  
**CFSP/PESC 1155**

## **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION on the conclusion, on behalf of the European Union and its Member States, of the Protocol to the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part, to take account of the accession of the Republic of Croatia to the European Union

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**COUNCIL DECISION (EU) 2018/...**

**of ...**

**on the conclusion,  
on behalf of the European Union and its Member States,  
of the Protocol to the Partnership and Cooperation Agreement  
between the European Union and its Member States, of the one part,  
and the Republic of Iraq, 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 91, 100, 207 and 209, in conjunction with point (a) of the second subparagraph of Article 218(6) thereof,

Having regard to the Act of Accession 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<sup>1</sup>,

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<sup>1</sup> Consent of ... (not yet published in the Official Journal).

Whereas:

- (1) The Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part ('the Agreement'), was signed on 11 May 2012.
- (2) In accordance with Article 6(2) of the Act of Accession of Croatia, the accession of the Republic of Croatia to the Agreement is to be agreed by means of a protocol ('the Protocol'). A simplified procedure is to apply to such accession, whereby a protocol is to be concluded between the Council, acting unanimously on behalf of the Member States, and the third country concerned.
- (3) On 14 September 2012, the Council authorised the Commission to open negotiations with the third countries concerned in view of the accession of the Republic of Croatia to the Union. The negotiations with the Republic of Iraq were successfully concluded with the initialling of the Protocol on 24 August 2016.
- (4) The Republic of Croatia became a Member State of the Union on 1 July 2013.

- (5) In accordance with Council Decision (EU) 2018/...<sup>1\*</sup> the Protocol was signed on behalf of the Union and its Member States on ...<sup>\*\*</sup>, subject to its conclusion at a later date.
- (6) The Protocol should be approved,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> Council Decision (EU) 2018/... 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 between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part, to take account of the accession of the Republic of Croatia to the European Union (OJ L ...).

\* OJ: Please insert the publication reference for doc st 15781/17.

\*\* OJ: Please insert the date of signature of the Protocol.

*Article 1*

The Protocol to the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, 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 Union and its Member States.<sup>1</sup>

*Article 2*

The President of the Council shall, on behalf of the Union and its Member States, give the notification provided for in Article 5(1) of the Protocol.<sup>2</sup>

*Article 3*

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

Done at Brussels,

*For the Council*

*The President*

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<sup>1</sup> The text of the Protocol has been published in the [OJ reference] together with the decision on signature.

<sup>2</sup> The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.