



Council of the  
European Union

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**2018/0318 (NLE)**

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## **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION on the conclusion of the Status Agreement between the European Union and the former Yugoslav Republic of Macedonia on actions carried out by the European Border and Coast Guard Agency in the former Yugoslav Republic of Macedonia

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

**of ...**

**on the conclusion of the Status Agreement  
between the European Union  
and the former Yugoslav Republic of Macedonia  
on actions carried out by the European Border and Coast Guard Agency  
in the former Yugoslav Republic of Macedonia**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular points (b) and (d) of Article 77(2) and point (c) of Article 79(2), in conjunction with point (a)(v) of the second subparagraph of Article 218(6) 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 given on...(not yet published in the Official Journal).

Whereas:

- (1) In accordance with Council Decision 2018/...<sup>1+</sup>, the Status Agreement between the European Union and the former Yugoslav Republic of Macedonia on actions carried out by the European Border and Coast Guard Agency in the former Yugoslav Republic of Macedonia (the 'Agreement') was signed on .....<sup>++</sup>, subject to its conclusion.
- (2) As a result of the Agreement, European Border and Coast Guard teams, in accordance with the operational plan, can be swiftly deployed on the territory of the former Yugoslav Republic of Macedonia, respond to the current shift in migratory flows towards the coastal route and assist in external border management and fight against migrant smuggling.
- (3) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC<sup>2</sup>; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.

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<sup>1</sup> Council Decision (EU) 2018/... of... on the signing, on behalf of the Union, of the Status Agreement between the European Union and the former Yugoslav Republic of Macedonia on actions carried out by the European Border and Coast Guard Agency in the former Yugoslav Republic of Macedonia (OJ L ...).

<sup>+</sup> OJ: please insert the number of the decision set out in document st12027/18 and complete the corresponding footnote.

<sup>++</sup> OJ: please insert the date of signing of the Agreement.

<sup>2</sup> Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* (OJ L 131, 1.6.2000, p. 43).

- (4) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC<sup>1</sup>; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (5) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application. Given that this Decision builds upon the Schengen *acquis*, Denmark shall, in accordance with Article 4 of that Protocol, decide within a period of six months after the Council has decided on this Decision whether it will implement it in its national law.
- (6) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

*Article 1*

The Status Agreement between the European Union and the former Yugoslav Republic of Macedonia on actions carried out by the European Border and Coast Guard Agency in the former Yugoslav Republic of Macedonia (the 'Agreement') is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

*Article 2*

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 12(1) of the Agreement.

*Article 3*

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

Done at ...,

*For the Council*

*The President*

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