



Council of the
European Union

036910/EU XXVI. GP
Eingelangt am 03/10/18

Brussels, 2 October 2018
(OR. en)

12281/18

Interinstitutional File:
2018/0291 (NLE)

ACP 74
WTO 238
COASI 223
RELEX 763

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the accession of Samoa to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part

COUNCIL DECISION (EU) 2018/...

of ...

**on the accession of Samoa to the Interim Partnership Agreement
between the European Community, of the one part,
and the Pacific States, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular
Article 207, 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,

Whereas:

- (1) On 12 June 2002, the Council authorised the Commission to open negotiations for Economic Partnership Agreements with the African, Caribbean and Pacific Group of States.
- (2) The Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part¹ (the ‘Interim Partnership Agreement’), which establishes a framework for an Economic Partnership Agreement, was signed in London on 30 July 2009. The Interim Partnership Agreement has been provisionally applied by Papua New Guinea and by Fiji since 20 December 2009 and 28 July 2014, respectively.
- (3) Article 80 of the Interim Partnership Agreement lays down the provisions regarding the accession of the other Pacific Island States.
- (4) On 5 February 2018, Samoa submitted an accession request together with a market access offer to the Council.
- (5) The Commission has assessed Samoa’s offer and found it acceptable. Accordingly, it concluded negotiations with Samoa on 23 April 2018.

¹ OJ L 272, 16.10.2009, p. 2.

- (6) Article 76(3) of the Interim Partnership Agreement makes it possible for the Union and Samoa to provisionally apply the Interim Partnership Agreement by notifying each other in writing of the completion of the procedures necessary for this purpose.
- (7) The accession of Samoa to the Interim Partnership Agreement should be approved on behalf of the Union, subject to Samoa's deposit of the act of accession pursuant to Article 80(2) thereof,

HAS ADOPTED THIS DECISION:

Article 1

1. The accession of Samoa to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part (the ‘Interim Partnership Agreement’), is hereby approved on behalf of the Union, subject to Samoa’s deposit of the act of accession pursuant to Article 80(2) thereof.
2. The President of the Council shall notify the other Contracting Parties of the Interim Partnership Agreement and Samoa of the approval, by the Union, of the accession of Samoa to the Interim Partnership Agreement, on behalf of the Union.
3. The text of the market access offer of Samoa is attached to this Decision.

Article 2

1. For the purposes of applying the Interim Partnership Agreement provisionally between the Union and Samoa, the President of the Council shall give the notification referred to in Article 76(3) of the Interim Partnership Agreement on behalf of the Union.
2. The Union and Samoa shall provisionally apply the Interim Partnership Agreement 10 days after they have notified each other in writing of the completion of the procedures necessary for this purpose in accordance with paragraph 1.

Article 3

The approval of the accession of Samoa to the Interim Partnership Agreement shall not be construed as conferring rights or imposing obligations which can directly be invoked before Union or Member State courts or tribunals.

Article 4

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

Done at ...,

For the Council

The President
