



Council of the
European Union

Brussels, 4 October 2022
(OR. en)

12335/22

Interinstitutional File:
2022/0266 (NLE)

POLCOM 113
COASI 146

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union within the Trade Committee established by the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part as regards the amendment of Annexes 10-A and 10-B to the Agreement

COUNCIL DECISION (EU) 2022/...

of ...

on the position to be taken on behalf of the European Union within the Trade Committee established by the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part as regards the amendment of Annexes 10-A and 10-B to the Agreement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part¹ ('the Agreement'), signed on 6 October 2010, was concluded by the Union by means of Council Decision (EU) 2015/2169². It has been provisionally applied since 1 July 2011 and entered into force on 13 December 2015.
- (2) Article 15.1 of the Agreement establishes a Trade Committee comprising representatives of the Union and of the Republic of Korea.
- (3) Pursuant to Article 15.3.1(g) of the Agreement, the Working Group on Geographical Indications ('GI Working Group') is established under the auspices of the Trade Committee.
- (4) On 25 November 2021, in the framework of the 8th GI Working Group meeting, the Parties reached an agreement to extend the list of geographical indications ('Gis') protected in Annexes 10-A and 10-B to the Agreement. The amendment of Annexes 10-A and 10-B consists of, *inter alia*, the update of legislative references, the removal of those geographical indications which are no longer protected in the Union, the modification of certain geographical indications, in particular where the name has changed, and the enlargement of the number of geographical indications protected by the Annexes to the Agreement by adding 43 Union GIs and 41 Korean GIs.

¹ OJ L 127, 14.5.2011, p. 6.

² Council Decision (EU) 2015/2169 of 1 October 2015 on the conclusion of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part (OJ L 307, 25.11.2015, p. 2).

- (5) Pursuant to Article 15.3.5 of the Agreement, the Trade Committee may undertake the work of the GI Working Group.
- (6) Pursuant to Article 12.2 of the rules of procedure of the Trade Committee adopted by Decision No 1 of the Trade Committee¹, the Trade Committee may adopt decisions by written procedure, if both Parties agree, in the period between its meetings.
- (7) At one of its upcoming meetings, or by written procedure, the Trade Committee is to adopt the agreement reached on 25 November 2021.
- (8) It is appropriate to establish the position to be taken on the Union's behalf in the Trade Committee, as the Decision will be binding on the Union.
- (9) In order to ensure the proper implementation of the protection of GIs under the Agreement, the Trade Committee should update Annexes 10-A and 10-B to the Agreement.
The position of the Union within the Trade Committee should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

¹ Decision No 1 of the EU-Korea Trade Committee of 23 December 2011 on the adoption of the rules of procedure of the Trade Committee (OJ L 58, 1.3.2013, p. 9).

Article 1

The position to be taken on the Union's behalf within the Trade Committee established by Article 15.1 of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea of the other part as regards the amendment to Annexes 10-A and 10-B to the Agreement shall be based on the draft Decision of the Trade Committee attached to this Decision.

Article 2

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

Done at ... ,

For the Council

The President
