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DECLASSIFICATION

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Subject: Draft Council Negotiating Directives for adaptation of the Framework Agreement with the Republic of Korea to the accession of the new EU Member States

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

RESTREINT UE



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 26 November 2004
(OR. en)**

15224/04

RESTREINT UE

**ASIE 48
PVD 85
RELEX 585**

"I/A" ITEM NOTE

from : The General Secretariat of the Council
to. : Coreper/Council

Subject : Draft Council Negotiating Directives for adaptation of the Framework Agreement with the Republic of Korea to the accession of the new EU Member States

1. On 27 September 2004 the Commission submitted to the Council a Recommendation authorising the Commission to open negotiations, on behalf of the Community and its Member States, with the Republic of Korea, in order to adapt the Framework Agreement for Trade and Co-operation (Doc. 14072/04).
2. On 11 November 2004, the Asia Oceania Working Party endorsed the negotiating directives in Annex.
3. Coreper is invited to recommend to the Council to approve the negotiating directives in Annex.

ANNEX

Negotiating Directives for adaptation of the Framework Agreement to the accession of the new EU Member States

1. GENERAL OBJECTIVE

Adaptation of the Framework Agreement with the Republic of Korea to allow for the accession of the new EU Member States to this Agreement.

2. CONTENT OF THE PROTOCOL

The new Member States of the European Union will accede to the Framework Agreement with the Republic of Korea. The protocol will provide for the necessary technical adaptations of the Framework Agreement that ensue from the accession of ten new contracting parties.

Article 26 of the Framework Agreement stipulates that, as regarding territorial application, the agreement should apply to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty.

Regarding the substance of such an enlargement protocol, the Framework Agreement grants MFN treatment on trade in accordance with the right and obligations under the WTO and stipulates certain obligations in the area of maritime transport and ship building.

In addition, the protocols will also include a number of purely technical adjustments brought about by the accession of new State parties to these mixed agreements and an increase in the number of official languages.

During the negotiations there should be regular consultation between the Commission and Member States in the Asia/Oceania Working Party.

3. TIMETABLE

Negotiations should be concluded rapidly in order to allow for the protocol adjusting the Framework Agreement to enter into force soon after the accession of the new Member States.