



Brussels, 26.4.2016
COM(2016) 229 final

2016/0121 (NLE)

Proposal for a

COUNCIL DECISION

on the conclusion, on behalf of the European Union and its Member States, of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Republic of Croatia to the European Union

EXPLANATORY MEMORANDUM

The Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part (hereinafter referred to as 'the Agreement'), was signed on 25 June 2001. The Agreement entered into force on 1 June 2004.

According to its Act of Accession, the Republic of Croatia undertakes to accede to the international agreements signed or concluded by the European Union and its Member States by means of a protocol to these agreements.

The attached proposal constitutes the legal instrument for conclusion of the Protocol to the Agreement in order to take account of the accession of the Republic of Croatia to the European Union.

With regards to rules of origin, the EU and the Arab Republic of Egypt agreed, by Decision No 1/2015 of the EU-Egypt Association Council of 21 September 2015¹, that the new Protocol 4 to the Agreement will have to refer to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, which lays down the rules of origin and provides for cumulation of origin between the European Union, Egypt and other Contracting Parties as of 1 February 2016. Therefore, the article 3 (Rules of Origin) of the Protocol annexed to this decision will only cover the period between the accession of the Republic of Croatia to the EU and the entry into force of Decision No 1/2015.

By its Decision of 14 September 2012², the Council authorised the Commission to open negotiations with the third countries concerned with a view to concluding the relevant protocols. The negotiations with the Arab Republic of Egypt were successfully concluded on 29 October 2015.

The Commission judges the results of the negotiations to be satisfactory and requests the Council to adopt the attached Decision on the conclusion of the Protocol after obtaining the consent of the European Parliament.

¹ OJ L334, 22.12.2015, p.62.

² Council decision authorising the opening of negotiations for the adaptation of agreements signed or concluded between the European Union, or the European Union and its Member States, with one or more third countries or international organisations, in view of the accession of the Republic of Croatia to the European Union (Council doc. 13351/12 LIMITED).

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(6)(a) thereof,

Having regard to the Act of Accession of the Republic 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,

Whereas:

- (1) The Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part³ ('the Agreement'), was signed on 25 June 2001. The Agreement entered into force on 1 June 2004.
- (2) The Republic of Croatia became a Member State of the European Union on 1 July 2013.
- (3) In accordance with Article 6(2) of the Act of Accession of the Republic of Croatia, the accession of the Republic of Croatia to the Agreement is to be agreed by means of a protocol to the Agreement ('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.
- (4) 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 Arab Republic of Egypt were concluded successfully.
- (5) In accordance with Council Decision [XXX]⁴ the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Republic of Croatia to the European Union was signed on behalf of the Union and its Member States in [...] on [...], subject to its conclusion at a later date.
- (6) The Protocol should be approved on behalf of the Union and its Member States,

³ OJ L 304, 30.9.2004, p.39.

⁴ OJ L..., of..., p. ..

HAS ADOPTED THIS DECISION:

Article 1

The Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Republic of Croatia to the European Union, is approved on behalf of the Union and its Member States⁵.

Article 2

The President of the Council shall designate the person empowered to proceed, on behalf of the Union and its Member States, to the notification provided for in Article 8(1) of the Protocol, in order to express the consent of the Union and its Member States to be bound by the Protocol.

Article 3

This Decision shall enter into force on....

Done at Brussels,

*For the Council
The President*

⁵ The text of the Protocol has been published in the [OJ reference] together with the decision on its signing.