



Brussels, 4.4.2018  
COM(2018) 166 final

2018/0080 (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 State of Israel, 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 State of Israel, of the other part, was signed in Brussels on 20 November 1995. The Agreement entered into force on 1 June 2000.

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

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

By its Decision of 14 September 2012<sup>1</sup>, the Council authorised the Commission to open negotiations with the third countries concerned, in order to conclude the relevant protocols. The negotiations with the State of Israel were successfully concluded on 28 September 2017.

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

In accordance with EU policy, in particular the Council Conclusions of 10 December 2012, this Protocol shall not apply to the geographic areas that came under the administration of the State of Israel after 5 June 1967.

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<sup>1</sup> 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 document 13351/12 LIMITED).

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## 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 State of Israel, of the other part, to take account of the accession of the Republic of Croatia to the European Union**

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 State of Israel, of the other part<sup>2</sup> (hereinafter referred to as 'the Agreement'), was signed on 20 November 1995. The Agreement entered into force on 1 June 2000.
- (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 this 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 State of Israel were concluded successfully on 28 September 2017.
- (5) In accordance with Council Decision [XXX]<sup>3</sup> the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the State of Israel, 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.

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<sup>2</sup> OJ L 147, 21.6.2000, p. 1.

<sup>3</sup> OJ L..., p. ....

(6) The Protocol should be approved on behalf of the Union and its Member States,

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 State of Israel, of the other part, to take account of the accession of the Republic of Croatia to the European Union, is hereby approved on behalf of the Union and its Member States<sup>4</sup>.

*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 7(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*

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<sup>4</sup> The text of the Protocol has been published in the [OJ reference], together with the Decision on its signing.