

EUROPEAN PARLIAMENT

2004



2009

Session document

A6-0073/2009

24.2.2009

RECOMMENDATION

on the proposal for a Council decision concerning the conclusion of the additional protocol to the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union
(16447/2008 – COM(2008)0749 – C6-0017/2009 – 2008/0212(AVC))

Committee on Development

Rapporteur: Josep Borrell Fontelles

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend the common position
- *** Assent procedure
majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend the common position
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION	5
EXPLANATORY STATEMENT	6
PROCEDURE.....	7

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a Council decision concerning the conclusion of the additional protocol to the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union
(16447/2008 - COM(2008)0749 – C6-0017/2009 – 2008/0212(AVC))**

(Assent procedure)

The European Parliament,

- having regard to the text of the Council (16447/2008),
 - having regard to the request for assent submitted by the Council pursuant to Article 300(3), second subparagraph, in conjunction with Articles 310 and 300(2), first subparagraph, of the EC Treaty (C6-0017/2009),
 - having regard to Rules 75 and 83(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Development (A6-0073/2009),
1. Gives its assent to conclusion of the additional protocol;
 2. Instructs its President to forward its position to the Council and Commission.

EXPLANATORY STATEMENT

The cooperation between the European Union and the Republic of South Africa is established and organised by the Agreement on Trade, Development and Cooperation (TDCA). The accession of Bulgaria and Romania to the European Union on 1 January 2007 requires the conclusion of an Additional Protocol to the TDCA in order to include Bulgaria and Romania as party to the agreement. A simplified procedure for these countries accession to TDCA is provided for in Article 6(2) of the Act of Accession of Bulgaria and Romania, i.e. the Council can conclude the Additional Protocol on behalf of the Member States.

The TDCA itself and all Additional Protocols or amendments to the agreement require the assent of the European Parliament. The modifications made to the agreement through the Additional Protocol only concern the inclusion of Bulgaria and Romania to some Articles on institutional provisions and the inclusion of the Bulgarian and Romanian languages for the purpose of the agreement, e.g. that the invoice declaration is also valid in Bulgarian and Romanian. Therewith, the TDCA is equally authentic in 32 languages (the 22 official EU languages and the 10 official languages of South Africa other than English).

The Commission reviewed the tariff quotas granted under the TDCA on the basis of traditional trade between Bulgaria and Romania. As this traditional trade has been found insignificant, it was considered unnecessary to adjust tariff quotas.

The Additional Protocol containing the abovementioned technical changes concerning the inclusion of Bulgaria and Romania were agreed with the Republic of South Africa, On 9 October 2007 Council adopted a decision on the signing and provision application of the Additional Protocol. The Parliament has now been asked by Council with letter of 13 January 2009 to give its assent to the conclusion of the Additional Protocol.

Your rapporteur considers the Additional Protocol as a purely technical exercise due to the accession of Bulgaria and Romania and recommends Parliament to give its assent.

PROCEDURE

Title	Additional protocol to the Agreement between the EC and South Africa, to take account of the accession of Bulgaria and Romania to the EU
References	16447/2008 – C6-0017/2009 – COM(2008)0749 – 2008/0212(AVC)
Date of request for Parliament's assent	12.1.2009
Committee responsible Date announced in plenary	DEVE 15.1.2009
Committee(s) asked for opinion(s) Date announced in plenary	INTA 15.1.2009
Not delivering opinions Date of decision	INTA 20.1.2009
Rapporteur(s) Date appointed	Josep Borrell Fontelles 21.1.2009
Date adopted	17.2.2009
Result of final vote	+: 21 –: 0 0: 0
Members present for the final vote	Alessandro Battilocchio, Thijs Berman, Thierry Cornillet, Corina Crețu, Alexandra Dobolyi, Fernando Fernández Martín, Alain Hutchinson, Romana Jordan Cizelj, Filip Kaczmarek, Glenys Kinnock, Maria Martens, Gay Mitchell, José Javier Pomés Ruiz, José Ribeiro e Castro, Toomas Savi, Frithjof Schmidt, Jürgen Schröder, Felekna Uca
Substitute(s) present for the final vote	Miguel Angel Martínez Martínez, Manolis Mavrommatis, Gabriele Zimmer