



Brussels, 23.7.2014
COM(2014) 481 final

2014/0220 (NLE)

Proposal for a

COUNCIL DECISION

on the conclusion, on behalf of the European Union and its Member States, of the Accession Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, to take account of the accession of the Republic of Croatia to the European Union

EXPLANATORY MEMORANDUM

The attached proposal constitutes the legal instrument for the conclusion of the Accession Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, to take account of the accession of the Republic of Croatia to the European Union (hereinafter referred to as " the Protocol").

According to its Act of Accession, 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 those agreements.

The Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, hereinafter referred to as "the Agreement", was signed on 9 November 2009 in Jakarta and entered into force on 1 May 2014.

Following the Council Decision of ...2014 on the signing, on behalf of the European Union and its Member States, of the Accession Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, to take account of the accession of the Republic of Croatia to the European Union, the Protocol was signed in... on

The proposed Protocol incorporates the Republic of Croatia as contracting party to the Agreement. The texts of the Agreement and the Final Act in the Croatian language are annexed to the Protocol and will become authentic under the same conditions as other language versions of the Agreement.

The Protocol will apply provisionally as of the date of its signature.

The Commission requests the Council to conclude, on behalf of the European Union and its Member States, the Protocol.

The European Parliament will be called upon to give its consent to the Protocol.

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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 Articles 207 and 209 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) Under the terms of Article 6(2) of the Act of Accession of the Republic of Croatia, the accession of the Republic of Croatia to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part¹ ("the Agreement") is to be agreed by means of a protocol to the Agreement. In accordance with Article 6(2) of the Act of Accession, a simplified procedure is to apply to such accession, whereby a protocol is to be concluded by the Council, acting unanimously on behalf of the Member States, and by the third countries concerned.
- (2) On 14 September 2012, the Council authorised the Commission to open negotiations with the third countries concerned². The negotiations were successfully concluded and the Accession Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, to take account of the accession of the Republic of Croatia to the European Union has been signed on behalf of the European Union and its Member States in [...] on [...].
- (3) The Protocol should be approved,

¹ OJ L 125, 26.4.2014, p. 17

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)

HAS ADOPTED THIS DECISION:

Article 1

The Accession Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, 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 European Union and its Member States.

Article 2

The President of the Council shall designate the person empowered to give, on behalf of the European Union and its Member States, the notification provided for in Article 4(1) of the Protocol.

Article 3

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

Done at Brussels,

*For the Council
The President*