



Brussels, 23.7.2014  
COM(2014) 485 final

2014/0222 (NLE)

Proposal for a

## **COUNCIL DECISION**

**on the conclusion, on behalf of the European Union and its Member States, of the Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, 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 a Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, 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 shall 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 Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part, hereinafter referred to as "the Agreement", was signed in Brussels on 27 June 2012. The Agreement is currently undergoing ratification and has not yet entered into force.

Following the Council Decision of ....2014 on the signing, on behalf of the European Union and its Member States, of the Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, 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 and commits the EU to providing the authentic version of the Agreement in the Croatian language.

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 Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part ("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 concerned<sup>1</sup>. The negotiations were successfully concluded and the Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, 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,

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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 doc. 13351/12 LIMITED)

HAS ADOPTED THIS DECISION:

*Article 1*

1. The Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, 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.
2. The text of the Protocol is attached to this Decision.

*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*