



Brussels, 29.5.2015
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2015/0113 (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 Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, to take account of the accession of the Republic of Croatia to the European Union

EXPLANATORY MEMORANDUM

The Council Decision proposed provides the legal basis for concluding a Protocol to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part. The purpose of this Protocol is to take account of the accession of the Republic of Croatia to the European Union.

The Act of Accession of the Republic of Croatia to the EU specifies that Croatia will accede to the international agreements signed or concluded by the European Union and its Member States by means of protocols to these agreements.

The Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, was signed in Ulaan Baatar on 30 April 2013. This Agreement is currently being ratified and has not yet entered in force.

Pursuant to the Council Decision of2015 on the signing, on behalf of the European Union and its Member States, of the Protocol to this Agreement, the Protocol was signed in ... on

The Protocol makes the Republic of Croatia a contracting party to this Agreement and commits the EU to providing the authentic version of the Agreement in Croatian.

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

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) Pursuant to 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 Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part is to be agreed by means of a protocol to the Agreement. Pursuant to the second paragraph of Article 6(2) of the Act of Accession, a simplified procedure is to be used for agreeing accession in cases such as this, where there are no provisions to the contrary. Under this procedure, a protocol is concluded by the Council, acting unanimously on behalf of the Member States, and by the third country or countries concerned.
- (2) On 14 September 2012, the Council authorised the Commission to open negotiations with the third countries with which protocols would need to be concluded as a result of the accession of the Republic of Croatia¹. The negotiations were successful and the Protocol to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, 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 European Union and its Member States in [...] on [...].
- (3) The Protocol should be approved,

¹ 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).

HAS ADOPTED THIS DECISION

Article 1

1. The Protocol to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, 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 annexed to this Decision.

Article 2

The President of the Council shall designate the person(s) 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. This Decision is addressed to the Member States in accordance with the Treaties.

Done at Brussels,

For the Council
The President