



Brussels, 11.11.2013  
COM(2013) 778 final

Recommendation for a

**COUNCIL DECISION**

**on the approval of the conclusion by the Commission, on behalf of the European Atomic Energy Community, of a Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, to take account of the accession of the Republic of Croatia to the European Union**

## EXPLANATORY MEMORANDUM

On 24 September 2012 the Council authorised the Commission to open negotiations, on behalf of the European Union and its Member States and the Republic of Croatia, with the former Yugoslav Republic of Macedonia in order to conclude a Protocol to the Stabilisation and Association Agreement (SAA) between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, to take account of the accession of the Republic of Croatia to the European Union.

These negotiations started on 18 December 2012, following prior technical consultations with the former Yugoslav Republic of Macedonia on the issue. Further negotiating rounds took place on 25 January and 10 April 2013. The Government of the former Yugoslav Republic of Macedonia confirmed its agreement with the protocol on 25 October 2013. The Protocol is updated to reflect the 2013 EU Customs Tariff and the gradual abolition of duties under the SAA. The text of the protocol is attached.

The Commission proposes that the Council decides on the signature and provisional application of the Protocol on behalf of the European Union and concludes the Protocol on behalf of the European Union and its Member States. The European Atomic Energy Community (EAEC) is also a Party to the Stabilisation and Association Agreement. For the conclusion of the Protocol on behalf of the European Atomic Energy Community, the Commission proposes that the Council gives its approval, pursuant to the second paragraph of Article 101 of the Treaty establishing the EAEC.

In accordance with Article 101 EAEC Treaty, the decision to sign the agreement is adopted by the Commission and the decision to conclude the agreement is adopted by the Commission with the approval of the Council. It is therefore necessary to adopt separate decisions for the signature and conclusion of the Protocol by the EU and by the EAEC.

For the conclusion of the Protocol on behalf of the European Atomic Energy Community, the Commission proposes that the Council:

- gives its approval, pursuant to the second paragraph of Article 101 of the Treaty establishing the EAEC.

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## **COUNCIL DECISION**

**on the approval of the conclusion by the Commission, on behalf of the European Atomic Energy Community, of a Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, 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 establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the recommendation from Commission,

Whereas:

- (1) On 24 September 2012 the Council authorised the Commission to open negotiations with the former Yugoslav Republic of Macedonia in order to conclude a Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, to take account of the accession of the Republic of Croatia to the European Union.
- (2) These negotiations have been successfully completed.
- (3) The conclusion, by the Commission, of the Protocol should be approved as regards matters falling within the competence of the European Atomic Energy Community.
- (4) The signature and conclusion of the Protocol is subject to a separate procedure as regards matters falling within the competence of the European Union.

HAS DECIDED AS FOLLOWS:

*Sole Article*

The conclusion by the Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, to take account of the accession of the Republic of Croatia to the European Union ("the Protocol") is hereby approved.

The text of the Protocol is attached to the Decision of the Council on the signing and provisional application of a Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and former Yugoslav Republic of Macedonia, of the other part, to take account of the accession of the Republic of Croatia to the European Union.

Done at Brussels,

*For the Council  
The President*