



Brussels, 26.6.2015
COM(2015) 312 final

2015/0138 (NLE)

Proposal for a

COUNCIL DECISION

on the conclusion, on behalf of the European Union and its Member States, of a Protocol to the Framework Agreement between the European Union and its Member States, on the one hand, and the Republic of Korea, on the other hand, to take account of the accession of the Republic of Croatia to the European Union

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

In accordance with the Act of Accession of the Republic of Croatia, Croatia will 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 between the European Union and its Member States, on the one hand, and the Republic of Korea, on the other hand (hereinafter referred to as ‘the Agreement’) was signed on 10 May 2010.

Following the Council Decision of [...] to sign a Protocol to the Framework Agreement between the European Union and its Member States, on the one hand, and the Republic of Korea, on the other hand (hereinafter referred to as ‘the Protocol’), to take account of the accession of the Republic of Croatia to the European Union, the Protocol was signed with the representative of the Republic of Korea on [...].

As a result, the following proposal is submitted:

- (i) Proposal for a Council Decision on the conclusion of the Protocol.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

Following the signature of the Protocol, the Commission is submitting a Proposal for a Council Decision on the conclusion of the Protocol.

3. LEGAL ELEMENTS OF THE PROPOSAL

The Commission asks the Council to authorise the conclusion, on behalf of the European Union and its Member States, of a Protocol to the Framework Agreement between the European Union and its Member States, on the one hand, and the Republic of Korea, on the other hand, to take account of Croatia’s accession to the EU.

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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 212, 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, Croatia's accession to the Framework Agreement between the European Union and its Member States, on the one hand, and the Republic of Korea, on the other hand, is to be agreed by means of a Protocol to the Agreement. A simplified procedure is to apply whereby the 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. The negotiations with the Republic of Korea were successfully concluded and the Protocol was signed on behalf of the European Union and its Member States in [...] on [...].
- (3) The Protocol should therefore be approved,

HAS ADOPTED THIS DECISION:

Article 1

1. The Protocol to the Framework Agreement between the European Union and its Member States, on the one hand, and the Republic of Korea, on the other hand, 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 the Decision on its signature and provisional application¹.

¹ OJ L [...], [...], p. [...].

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. It shall be published in the *Official Journal of the European Union*.

Done at Brussels,

For the Council
The President