



Brussels, 1.12.2017
COM(2017) 722 final

2017/0318 (NLE)

Proposal for a

COUNCIL DECISION

on the signing and provisional application, on behalf of the European Union and its Member States, of a Third Additional Protocol to the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part, to take account of the accession of the Republic of Croatia to the European Union

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

The Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part (the ‘Global Agreement’ was signed on 8 December 1997 and entered into force on 1 October 2000.

The attached proposal constitutes the legal instrument for the signing and provisional application of a Third Additional Protocol to the Global Agreement (‘the Protocol’), to take account of the accession of the Republic of Croatia to the European Union.

Under Article 6(2) of the Act of Accession of the Republic of Croatia, Croatia undertook to accede to the existing agreements concluded or signed by the Member States and the European Union with third countries. Unless otherwise provided for in specific agreements, Croatia accedes to these existing agreements by means of protocols that the Council, acting unanimously on behalf of the Member States, concludes with the third countries concerned.

On 14 September 2012¹ the Council authorised the Commission to open negotiations with the third countries concerned with a view to concluding the relevant protocols. The negotiations with Mexico have been successfully concluded.

The proposed Protocol incorporates the Republic of Croatia as a party to the EU-Mexico Global Agreement. The texts of the Global Agreement and the Final Act in the Croatian language will become authentic under the same conditions as other language versions of the Agreement.

The Commission considers the outcome of the negotiations satisfactory and recommends that the Council adopt the attached Council Decision.

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).

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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 91, 100(2), 207 and 211, in conjunction with Article 218(5) thereof,

Having regard to the Act of Accession of the Republic of Croatia to the European Union, and in particular Article 6(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part (the ‘Global Agreement’), was signed on 8 December 1997 and entered into force on 1 October 2000.
- (2) Under Article 6(2) of the Act of Accession of the Republic of Croatia, Croatia undertook to accede to the existing agreements concluded or signed by the Member States and the Union with third countries. Unless otherwise provided for in specific agreements, the Republic of Croatia accedes to these existing agreements by means of protocols concluded between the Council, acting unanimously on behalf of the Member States, and the third countries concerned.
- (3) On 14 September 2012 the Council authorised the Commission to open negotiations with the third countries concerned with a view to concluding the relevant protocols.
- (4) The negotiations with the United Mexican States to agree on a Third Protocol to the Global Agreement to take account of the accession of the Republic of Croatia to the European Union have concluded successfully.
- (5) The text of the Third Additional Protocol provides for its provisional application before its entry into force,

HAS ADOPTED THIS DECISION:

Article 1

The signing, on behalf of the Union and its Member States, of the Third Additional Protocol to the Global Agreement, is hereby authorised, subject to its conclusion.

The text of the Protocol is attached to this Decision.

Article 2

The Council hereby authorises its President to designate the person(s) empowered to sign the Protocol on behalf of the Union and its Member States.

Article 3

Pending its entry into force, the Third Additional Protocol shall apply provisionally in accordance with its Article 5(3).

Article 4

The Council hereby authorises its President to designate the person(s) empowered to give the notification provided for in Article 5(3) of the Third Additional Protocol.

Article 5

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

Done at Brussels,

*For the Council
The President*