



EUROPEAN
COMMISSION

Brussels, 25.10.2019
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ANNEX

ANNEX

to the

Proposal for a

COUNCIL DECISION

On the position to be adopted by the European Union within the ACP-EU Committee of Ambassadors, with regard to the adoption of a decision to adopt transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement

ACP-EU COTONOU AGREEMENT

**AFRICAN, CARIBBEAN AND
PACIFIC GROUP OF STATES**

**COUNCIL OF
THE EUROPEAN UNION**

Brussels, xxx 2019

ACP/xxx/19

ACP-UE xxx/19

ACP-EU DECISION

Subject: Draft Decision No xx/2019 of the ACP-EU Committee of Ambassadors on the adoption of transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement

Draft

DECISION No [X]/2019

OF THE ACP-EU COMMITTEE OF AMBASSADORS

of [insert date]

to adopt transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement

THE ACP-EU COMMITTEE OF AMBASSADORS,

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part¹, and in particular Article 15(4) and Article 16(2) in conjunction with Article 95(4) thereof,

Whereas:

- (1) The ACP-EU Partnership Agreement was signed in Cotonou on 23 June 2000, entered into force on 1 April 2003 and is to be applied until 29 February 2020.
- (2) In accordance with the first subparagraph of Article 95(4) of the of the ACP-EU Partnership Agreement, negotiations towards a new ACP-EU Partnership Agreement were launched in September 2018. As the new Agreement will not be ready to be applied by the expiry date of the current legal framework, it is necessary to adopt transitional measures.
- (3) The second subparagraph of Article 95(4) of the ACP-EU Partnership Agreement provides for the Council of Ministers to adopt any transitional measures that may be required until the new Agreement comes into force.

¹ OJ L 317, 15.12.2000, p. 3 as amended by the Agreement signed in Luxembourg on 25 June 2005 (OJ L209, 11.8.2005, p.27) and by the Agreement signed in Ouagadougou on 22 June 2010 (OJ L287, 4.11.2010, p 3).

- (4) Pursuant to Article 15(4) CPA, on 23 May 2019, the ACP-EU Council of Ministers delegated the powers to adopt the transitional measures to the ACP-EU Committee of Ambassadors.²
- (5) It is therefore appropriate that the ACP-EU Committee of Ambassadors adopt a decision, pursuant to Article 95(4) of the ACP-EU Partnership Agreement, to extend the application of the provisions of the ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000 in their entirety until 31 December 2020, or until the entry into force or provisional application of the new Partnership Agreement between the Union and the ACP States if this takes place before 31 December 2020. HAS ADOPTED THIS DECISION:

Article 1

The application of the entirety of the provisions of the ACP-EU Partnership Agreement signed in Cotonou on 23 June 2000 shall be extended until 31 December 2020, or until the entry into force or provisional application of the new Partnership Agreement between the Union and the ACP States if this takes place before 31 December 2020.

Article 2

This Decision shall enter into force on xxx 2020.

Done at [Brussels], [date].

For the ACP-EU Committee of Ambassadors

² Decision No 1/2019 of the ACP-EU Council of Ministers of 23 May 2019 on the delegation of powers to the ACP-EU Committee of Ambassadors on the decision to adopt transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement [2019/920] (OJ L146, 05.06.2019, p. 114).