EC/Russia Partnership and Cooperation Agreement: accession of Croatia to the EU. Protocol

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PURPOSE: to conclude the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Russia, of the other part, to take account of the accession of Croatia to the European Union.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: according to the Act of Accession of Croatia, the country is to accede to international agreements signed or concluded by the European Union and its Member States by means of a protocol to those agreements.

The Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Russia, of the other part was signed on 24 June 1994. The Agreement entered into force on 1 December 1997.

A Council Decision of 14 September 2012, authorised the Commission to open negotiations with the third countries concerned, in order to conclude the relevant protocols. The negotiations with the Russian Federation were successfully concluded.

It is now necessary to conclude the Protocol on behalf of the European Union.

LEGAL BASIS: Articles 91, 100(2), 207 and 212, in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU) and the Act of Accession of Croatia.

N.B.: the conclusion of the Protocol is subject to a separate procedure as regards matters falling within the competence of the European Atomic Energy Community.

CONTENT: under this proposal, the Council is invited to adopt a decision aiming to approve, on behalf of the European Union and its Member States, the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Russia, of the other part, to take account of the accession of Croatia to the European Union.

The text of the Protocol is attached to the proposal.

A parallel decision is proposed for the signature and provisional application of the Protocol on behalf of the European Union.

The European Parliament will be called upon to give its consent to this Protocol.

Main provisions: the proposed Protocol incorporates the Republic of Croatia as contracting party to the Agreement and commits the EU to provide for the authentic version of the Agreement in the new official language of the EU.

The Protocol contains a clause specifying that the Agreement is amended following the entry into force of the Treaty of Accession of Croatia to the European Union on 1 July 2013.

The Partnership and Cooperation Agreement with the Russian Federation in particular aims to:

- promote trade and investment, including trade in transport services,
- establishes a framework for cooperation in different sectors which is limited to an overall economic, financial and technical cooperation.