



Council of the
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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the signing and provisional application of the Agreement amending the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part, as regards the accessions of the Independent State of Samoa and Solomon Islands, and future accessions of other Pacific Island States

COUNCIL DECISION (EU) 2020/...

of ...

**on the signing and provisional application of the Agreement
amending the Interim Partnership Agreement
between the European Community, of the one part,
and the Pacific States, of the other part,
as regards the accessions of the Independent State of Samoa and Solomon Islands,
and future accessions of other Pacific Island States**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 12 June 2002 the Council authorised the Commission to open negotiations for economic partnership agreements with the African, Caribbean and Pacific (ACP) Group of States.
- (2) The Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part¹ (the 'Interim Partnership Agreement'), which establishes a framework for an economic partnership agreement, was signed at London on 30 July 2009 and at Copenhagen on 11 December 2009. The Interim Partnership Agreement has been provisionally applied between the Union and Papua New Guinea since 20 December 2009 and between the Union, Papua New Guinea and Fiji since 28 July 2014.

¹ OJ L 272, 16.10.2009, p. 2.

- (3) Article 80 of the Interim Partnership Agreement provides for the accession of other Pacific Island States. By means of Decisions (EU) 2018/1908¹ and (EU) 2020/409², the Council approved the accessions of Samoa and Solomon Islands, respectively, to the Interim Partnership Agreement. Samoa acceded to the Interim Partnership Agreement on 21 December 2018 and has provisionally applied it since 31 December 2018. Solomon Islands acceded to the Interim Partnership Agreement on 7 May 2020 and has provisionally applied it since 17 May 2020.
- (4) Following the accessions of Samoa and Solomon Islands, it is necessary, for the sake of legal certainty, to amend the Interim Partnership Agreement in order to list those countries as Parties to the Interim Partnership Agreement. A similar amendment needs to be made to the Interim Partnership Agreement each time a Pacific Island State accedes to the Interim Partnership Agreement.
- (5) Article 68 of the Interim Partnership Agreement establishes a Trade Committee that is to deal with all matters necessary for the implementation of the Interim Partnership Agreement. It is appropriate to empower the Trade Committee to decide on any amendment to the Interim Partnership Agreement that might be necessary following the accession of other Pacific Island States.

¹ Council Decision (EU) 2018/1908 of 6 December 2018 on the accession of Samoa to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part (OJ L 333, 28.12.2018, p. 1).

² Council Decision (EU) 2020/409 of 17 February 2020 on the accession of Solomon Islands to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part (OJ L 85, 20.3.2020, p. 1).

- (6) By means of Decision (EU) 2019/1707¹, the Council decided on the position to be taken on behalf of the Union in the Trade Committee as regards the necessary amendments, which were agreed upon at the seventh meeting of the Trade Committee held on 4 October 2019.
- (7) The Agreement amending the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part, as regards the accessions of the Independent State of Samoa and Solomon Islands, and future accessions of other Pacific Island States should be signed on behalf of the Union and applied on a provisional basis, pending the completion of the procedures necessary for its entry into force,

HAS ADOPTED THIS DECISION:

¹ Council Decision (EU) 2019/1707 of 17 June 2019 on the position to be taken, on behalf of the European Union, in the Trade Committee established under the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part, as regards a recommendation for certain amendments to be made to the Agreement to take account of the accession of Samoa and of future accessions of other Pacific Island States (OJ L 260, 11.10.2019, p. 45).

Article 1

The signing, on behalf of the European Union, of the Agreement amending the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part, as regards the accessions of the Independent State of Samoa and Solomon Islands, and future accessions of other Pacific Island States ('the Amending Agreement') is hereby authorised, subject to the conclusion of the said agreement.¹⁺

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Amending Agreement on behalf of the Union.

¹ The text of the Amending Agreement is published in ... [insert OJ reference].

⁺ Delegations: see document ST 11669/20.

Article 3

In accordance with Article 2 of the Amending Agreement, and pending its entry into force, the Amending Agreement shall be applied on a provisional basis, in accordance with Article 76(2) of the Interim Partnership Agreement, 10 days after the Parties have notified each other in writing of the completion of the procedures necessary for this purpose.

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 76(2) of the Interim Partnership Agreement.¹

Article 4

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

Done at ...,

For the Council

The President

¹ The date from which the Amending Agreement will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.