



Council of the
European Union

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2023/0260 (NLE)

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion, on behalf of the European Union, of the Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part

COUNCIL DECISION (EU) .../...

of...

**on the conclusion, on behalf of the European Union,
of the Advanced Framework Agreement
between the European Union and its Member States, of the one part,
and the Republic of Chile, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 91(1), 100(2), Article 207(4), first subparagraph, and Article 212, in conjunction with Article 218(6), second subparagraph, point (a), Article 218(7) and Article 218(8), first subparagraph, thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

¹ Consent of [date] (not yet published in the Official Journal).

Whereas:

- (1) In accordance with Council Decision (EU) .../...¹⁺, the Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part (the 'Agreement') was signed on ...⁺⁺, subject to the conclusion of the Agreement at a later date. In accordance with that Decision, the Joint Statement on the Provisions on Trade and Sustainable Development contained in the Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part, and the Joint Interpretative Declaration on the Provisions on Investment Protection contained in the Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part, both attached to the Agreement, were approved on behalf of the Union.
- (2) The Agreement should be approved on behalf of the Union.

¹ Council Decision (EU) .../... of ... on the signing, on behalf of the European Union, and provisional application of the Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part (OJ L, ...).

⁺ OJ: please insert in the text the number of the decision in Council document ST 11665/23 and insert number, date and OJ reference in the corresponding footnote.

⁺⁺ OJ: please insert the date of signature of the Agreement.

- (3) Pursuant to Article 218(7) of the Treaty on the Functioning of the European Union, it is appropriate to authorise the Commission to approve on the Union's behalf certain modifications to the Agreement that are to be adopted by a simplified procedure pursuant to Articles 28.20 and 41.7(14) of the Agreement, and by a body set up by the Agreement pursuant to Article 32.34 and subparagraph (a)(x) of Article 8.5(1) thereof.
- (4) The Agreement does not, in accordance with Article 41.10 thereof, within the Union, confer rights or impose obligations on persons, other than those created between the Parties under public international law,

HAS ADOPTED THIS DECISION:

Article 1

The Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part¹⁺ is hereby approved on behalf of the Union.

Article 2

For the purposes of Article 28.20 of the Agreement, any modification or rectification of Annexes 28-A and 28-B to the Agreement shall be approved by the Commission on behalf of the Union.

Article 3

For the purposes of Article 32.34 and subparagraph (a)(x) of Article 8.5(1) of the Agreement, any amendment to Annex 32-C to the Agreement shall be approved by the Commission on behalf of the Union.

¹ The text of the Agreement is published in OJ L,

⁺ OJ : please insert in the footnote the OJ reference for the publication of the Agreement contained in document ST 11670/23.

Article 4

For the purposes of Article 41.7(14) of the Agreement, the following shall be approved by the Commission on behalf of the Union:

- (a) any amendment to the appendices to the Agreement on Trade in Wines in Annex V to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part¹, signed on 18 November 2002 (the 'Association Agreement'), as incorporated into the Agreement;
- (b) any amendment to the appendices to the Agreement on Trade in Spirit Drinks and Aromatised Drinks in Annex VI to the Association Agreement, as incorporated into the Agreement.

Article 5

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 41.5(1) of the Agreement, in order to express the consent of the Union to be bound by the Agreement².

¹ OJ L 352, 30.12.2002, p. 3.

² The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

Article 6

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

Done at ..., ...

For the Council

The President
