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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	6928/19
No. Cion doc.:	11510/18 + ADD 1
Subject:	Draft COUNCIL DECISION on the accession of the European Union to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications - Adoption

1. On 27 July 2018, the Commission submitted to the Council a proposal for a Council Decision on the Union's accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications[1], together with a proposal for a Regulation of the European Parliament and of the Council on the action of the Union following its accession to the Geneva Act of the Lisbon Agreement on the Appellations of Origin and Geographical Indications[2].

2. In terms of procedure, the adoption of each of these two acts is subject to different rules: the proposed Council Decision is a non-legislative act that requires the consent of the European Parliament, whereas the proposed Regulation has to be adopted according to the Ordinary Legislative Procedure.

[1] 11510/18 + ADD 1
[2] 11515/18 + COR1

3. In terms of substance, however, these two acts form part of a single package, with the proposed Council Decision providing the legal act allowing for the Union's accession to the Geneva Act and the proposed Regulation setting out the rules governing the action of the Union following its accession to the Geneva Act. In light of the package character of the proposals, the adoption of the draft Regulation (doc. 12464/19, PE-CONS 74/19) should be finalised only pursuant to the prior adoption of the draft Council Decision.

4. As regards the draft Council Decision, the Council decided on 15 March 2019 to transmit the compromise text, as finalised by the legal-linguistic experts and as set out in document 6928/19, together with the text of the Geneva Act itself[3], to the European Parliament for its consent, with a view to preparing the Union's future accession to the Geneva Act.

5. The European Parliament gave its consent to that text on 16 April 2019[4].

6. The Commission cannot support the text of the draft Council Decision as set out in 6929/19. The Council will therefore need unanimity for the adoption of the Council Decision.

7. The Permanent Representatives Committee is therefore invited to recommend that the Council:

   – adopt, as an 'A' item on the agenda of one of its forthcoming meetings, the draft Council Decision on the accession of the European Union to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, as set out in document 6929/19;
   – decide that the statements set out in addendum 1 and 2 to this note be entered in the minutes of that meeting of the Council; and
   – decide that the statement of the Commission set out in addendum 2 to this note be published in the Official Journal of the European Union.

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[3] 11510/18 ADD 1
[4] P8_TA-PROV(2019)0360.