Council of the European Union

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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	4 January 2019
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2018) 854 final
Subject:	Proposal for a COUNCIL DECISION on the signing, on behalf of the European Union and its Member States, of the Protocol to the Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States, of the one part, and the Republic of Korea, of the other part, to take account of the accession of the Republic of Bulgaria, the Republic of Croatia and Romania to the European Union

Delegations will find attached document COM(2018) 854 final.

Encl.: COM(2018) 854 final

EUROPEAN
COMMISSION

Brussels, 4.1.2019
COM(2018) 854 final

2018/0430 (NLE)

Proposal for a

COUNCIL DECISION

on the signing, on behalf of the European Union and its Member States, of the Protocol to the Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States, of the one part, and the Republic of Korea, of the other part, to take account of the accession of the Republic of Bulgaria, the Republic of Croatia and Romania to the European Union

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

The attached proposal constitutes the legal instrument for the signing of a Protocol to the Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States, of the one part, and the Republic of Korea, of the other part to take account of the accession of Republic of Bulgaria, the Republic of Croatia and Romania to the European Union.

In accordance with the Acts of Accession of the Republic of Bulgaria, Romania and the Republic of Croatia, the three Member States shall accede to the international agreements signed or concluded by the European Union and its Member States by means of a protocol to those agreements.

The Council authorised the Commission on 23 October 2006 and on 14 September 2012 to open negotiations with the third countries concerned on the relevant protocols for the accession of the Republic of Bulgaria, Romania and the Republic of Croatia respectively.

The Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the the European Community and its Member States, of the one part, and the Republic of Korea, of the other part part was signed on 9 September 2006 and entered into force on 1 July 2016.

The negotiations with the Republic of Korea were successfully concluded by exchange of notes verbales.

The Commission considers the outcome of the negotiations satisfactory and proposes to the Council to sign, on behalf of the European Union and its Member States, the Protocol. Following its signature the Protocol should be concluded by the Council on behalf of the European Union and its Member States.

2. LEGAL ELEMENTS OF THE PROPOSAL

The proposed Protocol makes the Republic of Bulgaria, Romania and the Republic of Croatia contracting parties to the Agreement and commits the EU to providing an authentic version of the Agreement in Bulgarian, Romanian and Croatian.

The Commission proposes to the Council to authorise the signature, on behalf of the European Union and its Member States of a Protocol to the Cooperation Agreement on A Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States, of the one part, and the Republic of Korea, of the other part to take account of the accession of the Republic of Bulgaria, the Republic of Croatia and Romania to the European Union.

Following the signature of the Protocol, a second proposal, on the conclusion of the Protocol, will be considered by the Council in due course.

2018/0430 (NLE)

Proposal for a

COUNCIL DECISION

on the signing, on behalf of the European Union and its Member States, of the Protocol to the Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States, of the one part, and the Republic of Korea, of the other part, to take account of the accession of the Republic of Bulgaria, the Republic of Croatia and Romania to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 172, in conjunction with Article 218(5) thereof,

Having regard to the Acts of Accession of the Republic of Bulgaria and Romania, and of the Republic of Croatia, and in particular Article 6(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States, of the one part, and the Republic of Korea, of the other part ('the Agreement'), was signed on 9 September 2006 and entered into force on 1 July 2016.

(2) Bulgaria and Romania became Member States of the Union on 1 January 2007 and Croatia on 1 July 2013.

(3) In accordance with Article 6(2) of the Acts of Accession of Bulgaria, Croatia and Romania, respectively, accession to the Agreement is to be agreed by means of a protocol to that Agreement ('the Protocol'). In accordance with Article 6(2) of the Act of Accession, a simplified procedure is to apply to such accession, whereby a protocol is to be concluded by the Council, acting unanimously on behalf of the Member States, and by the third countries concerned

(4) On 23 October 2006 and on 14 September 2012, the Council authorised the Commission to open negotiations with the third countries concerned in order to conclude protocols to international agreements concluded by the Union and its Member States.

(5) The negotiations with Korea were successfully concluded by exchange of notes verbales.

(6) Therefore, the Protocol should be signed on behalf of the European Union and its Member States, subject to its conclusion at a later date,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Protocol to the Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States, of the one part, and the Republic of Korea, of the other part, to take account of the accession of the Republic of Bulgaria, the Republic of Croatia and Romania is hereby approved on behalf of the Union and its Member States, subject to the conclusion of the said Protocol.

The text of the Protocol to be signed is attached to this Decision.

Article 2

The Council Secretariat General shall establish the instrument of full powers to sign the Protocol on behalf of the Union and its Member States, subject to its conclusion, for the person(s) indicated by the negotiator of the Agreement.

Article 3

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

Done at Brussels,

For the Council
The President