Council of the
European Union

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Interinstitutional File:
2018/0356 (NLE)

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION on the conclusion of the Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam

COUNCIL DECISION (EU) 2019/…

of …

on the conclusion of the Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament[1],

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

Whereas:

(1) In accordance with Council Decision (EU) 2019/…[1+], the Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam ('the Agreement') was signed on [… … 2019], subject to its conclusion at a later date.

(2) In accordance with Article 218(7) of the Treaty, it is appropriate to authorise the Commission to approve on the Union's behalf, after consultation with the special committee appointed by the Council in accordance with Article 207(3) of the Treaty, certain modifications to the Agreement that are to be adopted by a simplified procedure pursuant to Article 9.20 of the Agreement or, as regards the list of entities in Sections A to C of Annexes 9-A and 9-B to the Agreement, by the Committee on Investment, Services, Electronic Commerce and Government Procurement pursuant to Article 9.23 of the Agreement.

(3) In accordance with Article 17.20 of the Agreement, nothing in the Agreement is to be construed as conferring rights or imposing obligations on persons, other than those created between the Parties under public international law.

(4) The Agreement should be approved on behalf of the Union,

HAS ADOPTED THIS DECISION:

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[1] Council Decision (EU) 2019/… of … on the signing, on behalf of the European Union, of the Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam (OJ L …).

[+] OJ: Please insert in the text the number of the decision on signing contained in document ST 6048/19 and complete the corresponding footnote.

Article 1

The Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam ('the Agreement') is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

Article 2

For the purposes of Articles 9.20 and 9.23 of the Agreement, any modifications or rectifications to Sections A to D and F of Annexes 9-A and 9-B to the Agreement shall be approved, on behalf of the Union, by the Commission, after consultation with the special committee appointed by the Council in accordance with Article 207(3) of the Treaty.

Article 3

The President of the Council shall, on behalf of the Union, give the notification provided for in paragraph 2 of Article 17.16 of the Agreement, in order to express the consent of the Union to be bound by the Agreement.[1]

Article 4

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

Done at …,

For the Council
The President

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[1] 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.