



Council of the  
European Union

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**2016/0092 (NLE)**

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#### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION on the conclusion, on behalf of the Union, of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador

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**COUNCIL DECISION (EU) 2016/...**

**of ...**

**on the conclusion, on behalf of the Union,  
of the Protocol of Accession to the Trade Agreement  
between the European Union and its Member States, of the one part,  
and Colombia and Peru, of the other part,  
to take account of the accession of Ecuador**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,<sup>1</sup>

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<sup>1</sup> OJ C ...

Whereas:

- (1) On 19 January 2009 the Council authorised the Commission to negotiate a multiparty trade agreement on behalf of the Union and its Member States with the Member Countries of the Andean Community which shared the aim of reaching an ambitious, comprehensive and balanced trade agreement.
- (2) On 26 June 2012 the Union signed the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part<sup>1</sup> ("the Agreement"). The Agreement has been provisionally applied since 1 March 2013 for Peru and since 1 August 2013 for Colombia.
- (3) Article 329 of the Agreement lays down the provisions regarding the accession of other Member Countries of the Andean Community to the Agreement.
- (4) On 17 July 2014 the Union and Ecuador concluded their negotiations on the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador ("the Protocol").
- (5) The text of the Protocol was approved by the Trade Committee established pursuant to the Agreement at its meeting on 8 February 2016, as required by Article 329(4) of the Agreement.

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<sup>1</sup> OJ L 354, 21.12.2012, p. 3.

- (6) Pursuant to Council Decision (EU) 2016/...<sup>1+</sup>, the Protocol was signed on ... [*date of signature of the Protocol (ST 7621/2016 INIT + ADDs 1–13)*], subject to its conclusion at a later date. The Protocol has been provisionally applied since ... [*date of provisional application of the Protocol*], pending its entry into force.
- (7) The Protocol should be approved,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> Council Decision (EU) 2016/... of ... on the signing, on behalf of the Union, and provisional application of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador (OJ L ..., ..., p. ...).

<sup>+</sup> OJ: Please insert the serial number of ST 7619/2016 and complete the corresponding footnote reference.

### *Article 1*

The Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador is hereby approved on behalf of the Union.<sup>1+</sup>

### *Article 2*

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 27(2) of the Protocol.<sup>2</sup>

### *Article 3*

The Protocol shall not be construed as conferring rights or imposing obligations which can be directly invoked before Union or Member State courts or tribunals.

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<sup>1</sup> The Protocol has been published in OJ L ..., ..., p. ..., together with the decision on signing.  
<sup>+</sup> OJ: Please complete the OJ reference for the Protocol (ST 7621/2016 INIT + ADDs 1–13) in the footnote.

<sup>2</sup> The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

*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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