# Council Decision (EU) 2019/1932 of 18 November 2019 on the position to be taken, on behalf of the European Union, within the ACP-EU Committee of Ambassadors as regards the adoption of a decision to adopt transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement

## COUNCIL DECISION (EU) 2019/1932

## of 18 November 2019

## on the position to be taken, on behalf of the European Union, within the ACP-EU Committee of Ambassadors as regards the adoption of a decision to adopt transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Partnership Agreement between the members of the African, Caribbean and Pacific Group of States ('ACP') of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000[(1)] (the 'ACP-EU Partnership Agreement') entered into force on 1 April 2003 and is to be applied until 29 February 2020.

(2) In accordance with the first subparagraph of Article 95(4) of the ACP-EU Partnership Agreement, negotiations towards a new ACP-EU Partnership Agreement (the 'new Agreement') were launched in September 2018. As the new Agreement will not be ready to be applied by the expiry date of the current legal framework, it is necessary to adopt transitional measures to extend the application of the provisions of the ACP# EU Partnership Agreement.

(3) The second subparagraph of Article 95(4) of the ACP-EU Partnership Agreement provides for the ACP#EU Council of Ministers to adopt any transitional measures that may be required until the new Agreement comes into force.

(4) Pursuant to Article 15(4) of the ACP-EU Partnership Agreement, on 23 May 2019 the ACP-EU Council of Ministers delegated the powers to adopt the transitional measures to the ACP-EU Committee of Ambassadors[(2)]. The ACP-EU Committee of Ambassadors is to take the decision to adopt transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement.

(5) It is appropriate to establish the position to be taken, on the behalf of the Union, within the ACP#EU Committee of Ambassadors, as the decision to be adopted will be binding on the Union.

**Changes to legislation:** *There are currently no known outstanding effects for the Council Decision (EU) 2019/1932. (See end of Document for details)*

(6) The provisions of the ACP-EU Partnership Agreement will be applied with the aim of maintaining continuity in relations between the Union and its Member States, on the one hand, and the ACP States, on the other. Accordingly, the transitional measures are not intended for amendments to the ACP-EU Partnership Agreement as provided for in Article 95(3) thereof.

(7) The position of the Union within the ACP-EU Committee of Ambassadors as regards the adoption of transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

*Article 1*

The position to be taken, on behalf of the Union, within the ACP-EU Committee of Ambassadors, pursuant to Article 95(4) of the ACP-EU Partnership Agreement, shall be in favour of the extension of the application of the provisions of the ACP-EU Partnership Agreement until 31 December 2020, or until the entry into force of the new Agreement or until the provisional application between the Union and the ACP States of the new Agreement, whichever comes first, and shall be based on the draft Decision of the ACP-EU Committee of Ambassadors attached to this Decision.

The provisions of the ACP-EU Partnership Agreement shall be applied in line with the purpose and objective of Article 95(4) thereof.

*Article 2*

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

Done at Brussels, 18 November 2019.

*For the Council*

*The President*

J. LEPPÄ

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (EU) 2019/1932. (See end of Document for details)*

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# DECISION No …/2019 OF THE ACP-EU COMMITTEE OF AMBASSADORS

of …

to adopt transitional measures pursuant to Article 95(4) of the ACP-EU Partnership Agreement

THE ACP-EU COMMITTEE OF AMBASSADORS,

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000[(3)], and in particular Article 15(4) and Article 16(2) in conjunction with Article 95(4) thereof,

Whereas:

(1) The Partnership Agreement between the members of the African, Caribbean and Pacific Group of States ('ACP') of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 (the 'ACP-EU Partnership Agreement') entered into force on 1 April 2003 and is to be applied until 29 February 2020.

(2) In accordance with the first subparagraph of Article 95(4) of the ACP-EU Partnership Agreement, negotiations towards a new ACP-EU Partnership Agreement (the 'new Agreement') were launched in September 2018. As the new Agreement will not be ready to be applied by the expiry date of the current legal framework, it is necessary to adopt transitional measures to extend the application of the provisions of the ACP-EU Partnership Agreement.

(3) The second subparagraph of Article 95(4) of the ACP-EU Partnership Agreement provides for the ACP-EU Council of Ministers to adopt any transitional measures that may be required until the new Agreement comes into force.

(4) Pursuant to Article 15(4) of the ACP-EU Partnership Agreement, on 23 May 2019 the ACP-EU Council of Ministers delegated the powers to adopt the transitional measures to the ACP-EU Committee of Ambassadors[(4)].

(5) It is therefore appropriate that the ACP-EU Committee of Ambassadors adopt a decision, pursuant to Article 95(4) of the ACP-EU Partnership Agreement, to extend the application of the provisions of the ACP-EU Partnership Agreement until 31 December 2020, or until the entry into force of the new Agreement or the provisional application between the Union and the ACP States of the new Agreement, whichever comes first.

(6) The provisions of the ACP-EU Partnership Agreement will be applied with the aim of maintaining continuity in relations between the Union and its Member States, on the one hand, and the ACP States, on the other. Accordingly, the transitional measures are not intended for amendments to the ACP-EU Partnership Agreement as provided for in Article 95(3) thereof,