

ACP-EU COTONOU AGREEMENT

**AFRICAN, CARIBBEAN AND
PACIFIC GROUP OF STATES**

**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 19 June 2012

ACP/21/002/12

ACP-UE 2114/12

ACP-EU DECISION

Subject: Decision No 2/2012 of the ACP-EU Council of Ministers of 15 June 2012 concerning the status of the Republic of South Sudan in relation 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

DECISION No 2/2012

of the ACP-EU COUNCIL OF MINISTERS

of 15 June 2012

concerning the status of the Republic of South Sudan in relation 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

THE ACP-EU COUNCIL OF MINISTERS,

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 2000¹, as first amended in Luxembourg on 25 June 2005² and as amended for the second time in Ouagadougou on 22 June 2010³ ("the ACP-EU Partnership Agreement"), and in particular Article 94 thereof,

Having regard to Decision No 1/2005 of the ACP-EC Council of Ministers of 8 March 2005 concerning the adoption of the Rules of Procedure of the ACP-EC Council of Ministers⁴, and in particular Article 8(3) thereof,

¹ OJ EC L 317, 15.12.2000, p. 3.

² Agreement amending 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 (OJ EU L 209, 11.8.2005, p. 27).

³ Agreement amending for the second time 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, as first amended in Luxembourg on 25 June 2005 (OJ EU L 287, 4.11.2010, p. 3).

⁴ OJ EU L 95, 14.4.2005, p. 44.

Whereas:

- (1) The second amendment to the ACP-EU Partnership Agreement has been provisionally applied since 31 October 2010.
- (2) Article 94 of the ACP-EU Partnership Agreement stipulates that any request for accession by a State is to be presented to, and approved by, the Council of Ministers.
- (3) On 20 March 2012, the Republic of South Sudan presented a request for accession in accordance with Article 94 of the ACP-EU Partnership Agreement and a request for observer status enabling it to participate in the joint institutions set up by that Agreement, until the accession procedure is completed.
- (4) The observer status should be valid until 20 November 2012. South Sudan should deposit the Act of Accession with the Depositaries of the ACP-EU Partnership Agreement, namely, the Secretariat General of the Council of the European Union and the Secretariat of the ACP States, no later than that date,

HAS ADOPTED THIS DECISION:

Article 1

Approval of requests for accession and observer status

The request of the Republic of South Sudan to accede 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, as first amended in Luxembourg on 25 June 2005 and as amended for the second time in Ouagadougou on 22 June 2010, is hereby approved.

South Sudan shall have observer status until 20 November 2012 under the ACP-EU Partnership Agreement.

South Sudan shall deposit its Act of Accession with the Depositaries of the ACP-EU Partnership Agreement, namely, the Secretariat General of the Council of the European Union and the Secretariat of the ACP States, no later than that date.

Article 2

Entry into force

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

Done at Port Vila, 15 June 2012

For the ACP-EU Council of Ministers

The President

Alva BAPTISTE