COUNCIL DECISION

of 8 November 2010

on the signing, on behalf of the Union, and provisional application of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Ukraine, of the other part, on a Framework Agreement between the European Union and Ukraine on the general principles for the participation of Ukraine in Union programmes

(2011/34/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114, 168, 169 and 172, Article 173(3), and Articles 188 and 192, in conjunction with Article 218(5) and the first subparagraph of Article 218(8), thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) On 18 June 2007 the Council authorised the Commission to negotiate a Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Ukraine, of the other part ([1]), on a Framework Agreement on the general principles for its participation in Union programmes (hereinafter referred to as 'the Protocol').

(2) The negotiations have been concluded to the satisfaction of the Commission.

(3) As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community.

(4) The Protocol should be signed on behalf of the Union, subject to its conclusion at a later date.

(5) The Protocol should be applied on a provisional basis in accordance with Article 10 thereof, pending the completion of the procedures for its conclusion,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and its Member States, of the one part, and Ukraine, of the other part, on a Framework Agreement between the European Union and Ukraine on the general principles for the participation of Ukraine in Union programmes (hereinafter referred to as 'the Protocol') is hereby approved on behalf of the Union, subject to the conclusion of the said Protocol.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Protocol on behalf of the Union, subject to its conclusion.

Article 3

The Protocol shall be applied on a provisional basis as from the date of its signature, pending the completion of the procedures for its conclusion.

Article 4

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

Done at Brussels, 8 November 2010.

For the Council
The President
M. WATHELET

([1]) OJ L 49, 19.2.1998, p. 3.