2024/1758

30.7.2024

COUNCIL DECISION (EU) 2024/1758

of 4 December 2023

on the signing, on behalf of the European Union, and provisional application of the Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 91(1), 100(2), Article 207(4), first subparagraph, and Article 212, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) On 13 November 2017, the Council authorised the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy to open negotiations with Chile on a modernised Association Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part.

(2) On 9 December 2022, the negotiations on the Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part (the 'Agreement') were successfully concluded.

(3) The Agreement should be signed on behalf of the Union, subject to its conclusion at a later date, and the Joint Statement on the Provisions on Trade and Sustainable Development contained in the Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part (the 'Joint Statement'), as well as the Joint Interpretative Declaration on the Provisions on Investment Protection contained in the Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part (the 'Joint Declaration'), both attached to the Agreement, should be approved.

(4) Certain provisions of the Agreement should be applied on a provisional basis, pending the completion of the procedures necessary for its entry into force.

(5) The Agreement does not, in accordance with Article 41.10 thereof, within the Union, confer rights or impose obligations on persons, other than those created between the Parties under public international law,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Advanced Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Chile, of the other part ([1]) is hereby authorised, subject to the conclusion of the said Agreement.

Article 2

The Joint Statement and the Joint Declaration attached to the Agreement shall be approved on behalf of the Union.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

([1]) The text of the Agreement is published in OJ L, 2024/1759, 30.7.2024, ELI: http://data.europa.eu/eli/agree/2024/1759/oj.

Article 4

Pending the completion of the procedures necessary for its entry into force, in accordance with Article 41.5 of the Agreement and subject to the notifications provided for therein, the following parts of the Agreement shall be applied provisionally between the Union and the Republic of Chile [2]:

— Chapter 1,

— Chapter 2,

— Chapter 3 — with the exception of Article 3.4 (Consular protection),

— Chapter 4,

— Chapter 5,

— Chapter 6 — with the exception of Article 6.2 (Tax matters),

— Chapter 7,

— Article 8.5(1), subparagraph (b),

— Chapter 40,

— Chapter 41.

Article 5

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

Done at Brussels, 4 December 2023.

For the Council

The President

F. BOLAÑOS GARCÍA

[2] The date from which the parts of the Agreement referred to in this Article are to be provisionally applied shall be published in the *Official Journal of the European Union* by the General Secretariat of the Council.