

13. European Union²⁴⁴

Extracts from statements delivered by the representatives of the Observer delegation of the European Union

Statement made in the Sixth Committee, Sixty-eighth session (2013), 23rd meeting, 4 November 2013:

Over the years the European Union has concluded, alone or along[side] its [Member States], a large number of agreements which provide for provisional application of the agreement or part of it. The Union makes use of provisional application primarily in sectors such as trade, fisheries, and aviation, but there are cases of provisional application in other areas as well.

The possibility for provisional application of international agreements is envisaged in the EU's founding treaties, namely Article 218(5) of the *Treaty on the Functioning of the European Union* and the Council of the European Union may, in the context of signature, adopt a decision authorising provisional application of a treaty prior to its entry into force.

Statement made in the Sixth Committee, Sixty-ninth session (2014), 25th meeting, 9 November 2014:²⁴⁵

[T]he Union would like to point out that the possibility for provisional application of international agreements with third countries is explicitly envisaged in the Union's Founding Treaties (Article 218(5) TFEU) and this possibility is often used in practice by the EU.

Statement made in the Sixth Committee, Seventieth session (2015), 23rd meeting, 9 November 2015:²⁴⁶

[T]he European Union makes regular use of the possibility of provisional application of treaties in various fields of law and the topic is of particular interest for the Union. Some part of the EU practice, more specifically relating to multilateral agreements, is well reflected in the Annex to the Third Report²⁴⁷ and, as it could be noted, in almost half of the fifty agreements identified by the Secretariat²⁴⁸ the European Union is a contracting party.

The European Union would like to point out that, in addition to multilateral agreements, it uses provisional application also in its bilateral relations with third States, including in the case of Association Agreements and Partnership and Cooperation Agreements that the Union concluded with other countries. These kinds of agreements establish broad frameworks for cooperation and integration. These agreements can be very complex and wide-ranging agreements and their entry into force entails a long process of ratification. Provisional application offers a useful way to bring the practical application of such agreements to an early start.

Recent examples include for instance the association agreements that the European Union has signed in 2014 with Ukraine, Georgia and the Republic of Moldova. As reflected in these agreements the provisional application covers not only provisions relating to trade, but also provisions relating to political dialogue, as well as institutional provisions. The

²⁴⁴ Editorial Note: For examples of European Union practice on provisional application of agreements with third States, see: Doc. A/CN.4/699/Add.1.

²⁴⁵ Full text available at: https://www.un.org/en/ga/sixth/69/pdfs/statements/ilc/eu_3.pdf.

²⁴⁶ Full text available at: https://www.un.org/en/ga/sixth/70/pdfs/statements/ilc/eu_3e.pdf.

²⁴⁷ Editorial note: see A/CN.4/687.

²⁴⁸ Editorial note: see A/CN.4/658 and A/CN.4/676 (and subsequently A/CN.4/707), reproduced in Part Three, at pp. 266–346, below.

Association agreement between the EU and its Member States and Ukraine is also an example of an agreement that provides explicitly for certain legal effects of provisional application as its Article 486 (5) states that:

For the purpose of the relevant provisions of this Agreement, including its respective Annexes and Protocols, any reference in such provisions to the “date of entry into force of this Agreement” shall be understood to the “date from which this Agreement is provisionally applied” in accordance with paragraph 3 of this Article.

Furthermore, this agreement requires a six-month prior notification for both the termination of the Agreement and the termination of provisional application (see Articles 486(7) and 481(2) thereof).

The above examples demonstrate, on the one hand, that with respect to provisional application of treaties the Union acts in the same way as the other actors concerned. On the other hand, it shows that the European Union is an actor who is, in fact, actively contributing to shaping the practice in the field of provisional application of treaties. It should be noted, however, that when recourse is had to provisional application of a treaty where the Union and its Member States together are party to the agreement (the so called ‘mixed agreements’, as in the case of the agreements mentioned above), the provisional application may concern only matters falling within the competences of the Union and, from international law point of view, the agreement is applied provisionally only between the Union and the respective third State. In such cases, the Member States of the Union are bound to apply provisionally the agreement not as a matter of international law, but as a matter of EU law, in accordance with Article 216 (2) of the *Treaty on the Functioning of the European Union*.

Extracts from statements delivered by the representatives of Member States of the European Union referencing the practice of the European Union

Czech Republic

Communication transmitted to the Secretariat, 31 January 2014:

[P]rovisional application is quite common for the treaties negotiated in the framework of the European Union (EU). The legal basis for the provisional application of international agreements concluded between the EU and third countries (or international organisations) is enshrined in Article 218(5) of the *Treaty on the Functioning of the European Union*.

In practice, the EU regularly makes use of the provisional application especially in the case of the so-called mixed agreements which require ratification by all Member States and thus can be very time-consuming. As the provisional application of provisions falling within Member States’ legal systems, only those matters covered by the agreements coming within the EU’s competence are provisionally applied by the Union or the scope of the provisional application by the member States is limited by the requirement of conformity with internal procedures (or domestic legislation).

Thus, the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, is being applied on a provisional basis by the Union, pending the completion of the procedures for its conclusion, and the same time provisions falling within the member States’ competences are excluded from the provisional application [see Art. 3 of the Council Decision of 16 September 2010 on the signing, on behalf of the European Union, and provisional application of the *Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part* (2011/265/EU)].

As another example, Art. 3 of the Decision of the Council and of the Representatives of the Governments of the Member States, meeting within Council of 15 October 2010 on the

signature and provisional application of the *Common Aviation Area Agreement* (“CAA”) between European Union and its Member States, of the one part, and Georgia, of the other part (2012/708/EU) and Art. 29 of the CAA itself establish that pending its entry into force, the CAA shall be applied on a provisional basis by the Union and by the Member States, in accordance with their internal procedures and/or domestic legislation as applicable.

Hungary

Statement made in the Sixth Committee, Sixty-seventh session (2012), 20th meeting, 2 November 2012:²⁴⁹

[Reference to the practice of the European Union:]

[D]uring the last decade the number of international treaties containing provisional application clauses has substantially increased. This also applies to Hungary which as a member of the European Union has become a party to numerous multilateral international treaties which were concluded between the EU, its member states and third countries. These treaties would usually enter into force after all parties have ratified them. This would normally require twenty-nine ratifications, but to reduce the time before the full application, these treaties in almost every case include a provisional application clause.

The Netherlands

Communication transmitted to the Secretariat, 20 April 2016:

[Reference to the practice of the European Union:]

[T]he Kingdom of the Netherlands would like to add that, as a Member State of the European Union (EU), the Kingdom of the Netherlands participates in the so-called ‘mixed agreements’ concluded by the EU and its Member States and another (third) State. Such agreements may also provide for provisional application by the EU (and the third State) pending completion of the national approval procedures in each individual Member State, which may take considerable time. Provisional application of mixed agreements by the EU is necessarily limited to the topics falling under EU competence.²⁵⁰ Such provisional application by the EU also binds the Kingdom of the Netherlands as a Member State of the European Union, which takes effect upon notification by the EU of the completion of its internal procedures (relevant EU Council Decisions allowing for provisional application), indicating the parts of the agreement that will be provisionally applied and the deposit of the instrument of ratification by the other (third) State.

Romania

Statement made in the Sixth Committee, Sixty-eighth session (2013), 24th meeting, 4 November 2013:²⁵¹

[Reference to the practice of the European Union:]

One exception from the above-mentioned rule exists, however: treaties (even requiring ratification by Parliament) between the European Union and its Member States (Romania being an EU Member State), on the one side, and third States (the so-called “mixed treaties”), on the other side, can be applied provisionally before their entry into force if the treaty expressly provides so.

²⁴⁹ Full text available at: <https://www.un.org/en/ga/sixth/67/pdfs/statements/ilc/hungary.pdf>.

²⁵⁰ Since mixed agreements largely cover subject matter falling under EU competence, in practice this means that a vast majority of its provisions are applied provisionally.

²⁵¹ Full text available at: https://www.un.org/en/ga/sixth/68/pdfs/statements/ilc/romania_3.pdf.

Slovenia

Statement made in the Sixth Committee, Seventy-fourth session (2019), 25th meeting, 30 October 2019:²⁵²

[Reference to the practice of the European Union:]

Slovenia is ready to submit a written proposal on draft model clause 1²⁵³ and thus allow the states to complete the relevant internal treaty-making procedures before provisionally applying [the treaty]. The latter is of particular interest to those states that have internal limitations on the use of provisional application. Such a provisional application mechanism is applied by the European Union in the field of air transport agreements, which partly fall under the competence of EU Member States.

Spain

Statement made in the Sixth Committee, Sixty-seventh session (2012), 22nd meeting, 6 November 2012:²⁵⁴

[Reference to the practice of the European Union:]

Thus, among the wide variety of legal issues that arise, the use of provisional application that States and international organizations such as the European Union are doing in the agreements mixed of a commercial nature concluded with third States could be highlighted. Thus, through the mechanism of provisional application, within the framework of the European Union, it is possible to advance the application of that part of the treaty that falls under the exclusive competence of the Union.

Statement made in the Sixth Committee, Sixty-ninth session (2014), 26th meeting, 3 November 2014:²⁵⁵

[Reference to the practice of the European Union:]

We would also like to draw attention to the importance of the practice of International Organizations on this issue, namely the European Union which has made extensive and quite interesting use of the provisional application of treaties as provided for in article 218.5 of the Treaty on the Functioning of the European Union. This is the case, for example, of some mixed agreements (between the Union and its member States, on the one hand, and a third party on the other hand) in which only the parts affecting matters within the Union's competence are provisionally applied.

Statement made in the Sixth Committee, Seventieth session (2015), 25th meeting, 11 November 2015:²⁵⁶

[Reference to the practice of the European Union:]

Regarding the provisional application of treaties concluded by international organizations, it may be appropriate to take into account the practice, common within the Euro-

²⁵² Full text available at: https://www.un.org/en/ga/sixth/74/pdfs/statements/ilc/slovenia_1.pdf.

²⁵³ Editorial note: See document A/74/10, annex A, for the text of draft model clause 1, as proposed by the Special Rapporteur for consideration by the International Law Commission).

²⁵⁴ Unofficial translation (from Spanish) by the United Nations Secretariat. Full text available at: https://www.un.org/en/ga/sixth/67/pdfs/statements/ilc/spain_3.pdf.

²⁵⁵ Unofficial translation (from Spanish) by the United Nations Secretariat. Full text available at: https://www.un.org/en/ga/sixth/69/pdfs/statements/ilc/spain_3.pdf.

²⁵⁶ Unofficial translation (from Spanish) by the delegation of Spain. Full text available at: https://www.un.org/en/ga/sixth/70/pdfs/statements/ilc/spain_3e.pdf.

pean Union, of mixed agreements (that is, agreements concluded jointly by the European Union and its Member States, on the one hand, and one or more third States, on the other). Such practice restricts provisional application to provisions that fall within the scope of EU competence and in which, therefore, the decision concerning provisional application is adopted by the EU, without the Member States *qua talis* having to intervene (beyond their presence as members in the Council of the European Union, a body to which Article 218.5 of the *Treaty on the Functioning of the EU* entrusts the decision on the application of the international agreements of the European Union).

Extracts from the fourth report on the provisional application of treaties, by Juan Manuel Gómez-Robledo, Special Rapporteur:²⁵⁷

156. The European Union submitted a document to the Special Rapporteur containing a list of examples of recent practice in relation to provisional application of agreements with third States. This document, which lists a total of 24 referenced treaties, specifies the name of the agreement, the article of the instrument that deals with provisional application and the corresponding reference of the decision by the Council of the European Union in that respect. Given the usefulness of this list, the Special Rapporteur has included it as a document annexed to the present report.

157. A recent example illustrating the constant practice of the European Union is the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part.²⁵⁸ Article 486 of this treaty refers to “entry into force and provisional application” as follows:

1. The Parties shall ratify or approve this Agreement in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.
2. This Agreement shall enter into force on the first day of the second month following the date of deposit of the last instrument of ratification or approval.
3. Notwithstanding paragraph 2, the Union and Ukraine agree to provisionally apply this Agreement in part, as specified by the Union, as set out in paragraph 4 of this Article, and in accordance with their respective internal procedures and legislation as applicable.
4. The provisional application shall be effective from the first day of the second month following the date of receipt by the Depositary of the following:
 - the Union’s notification on the completion of the procedures necessary for this purpose, indicating the parts of the Agreement that shall be provisionally applied; and
 - Ukraine’s deposit of the instrument of ratification in accordance with its procedures and applicable legislation.
5. For the purpose of the relevant provisions of this Agreement, including its respective Annexes and Protocols, any reference in such provisions to the “date of entry into force of this Agreement” shall be understood to be the “date from which this Agreement is provisionally applied” in accordance with paragraph 3 of this Article.
6. During the period of the provisional application, in so far as the provisions of the Partnership and Cooperation Agreement between the European Communities and their Member States, on the one hand, and Ukraine, on the other hand, signed

²⁵⁷ Doc. A/CN.4/699 (2016).

²⁵⁸ *Official Journal of the European Union*, L 161, 29.5.2014.

in Luxembourg on 14 June 1994 and which entered into force on 1 March 1998, are not covered by the provisional application of this Agreement, they continue to apply.

7. Either Party may give written notification to the Depositary of its intention to terminate the provisional application of this Agreement. Termination of provisional application shall take effect six months after receipt of the notification by the Depositary.

158. This provision is relevant for the purposes of the present report because, despite the fact that entry into force is, of course, subject to compliance with the requirements of the internal law of each member of the European Union, paragraph 5 expressly states that the date of entry into force of the Agreement is understood to be the date from which the Agreement is provisionally applied; this bears witness to the negotiating States' desire to confer on provisional application all the weight and legal effects that arise out of the entry into force of the treaty, without prejudice to the ability of any State, at any moment, to terminate the provisional application.

159. Once again, provisional application seems to be an attractive possibility in view of the uncertainty produced by the necessarily different ratification procedures in each of the 28 member States, some of which, as in the case of Belgium, require passage through three national parliaments.

160. One interesting case has been the discussion in European Union institutions—the Council, Commission and Parliament—about the advisability of putting an end to provisional application of treaties concluded with the so-called ACP States (Africa, the Caribbean and the Pacific) which deal with trade preferences, not because the Union has reached the conclusion that it will not eventually become a party to such treaties, in conformity with a strict reading of article 25, paragraph 2, of the 1969 Vienna Convention, but on the contrary because it wishes to put pressure on the other negotiating States to complete the necessary requirements for entry into force.²⁵⁹

161. This suggests that the wording of article 15, paragraph 2, has been interpreted in a broad sense to include situations that go beyond those expressly provided for in this provision, and this interpretation may imply an explicit preference in favour of provisional application in European Union practice.

²⁵⁹ Lorand Bartels, "Withdrawing Provisional Application of Treaties: Has the EU made a mistake?", *Cambridge Journal of International and Comparative Law*, vol. 1, No. 1 (2012), pp. 112–118.

Examples of recent European Union practice on provisional application of agreements with third States, reflected in the Fourth report on the provisional application of treaties, by Juan Manuel Gómez-Robledo, Special Rapporteur²⁶⁰

Agreement	Article in Agreement	Article in Council Decision
Association Agreements		
<p><i>Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other</i> (<i>Official Journal of the European Union</i>, No. L 346, 15 December 2012, p. 3)</p>	<p>Article 353 (Entry into force), paragraphs 4–7</p> <p>4. Notwithstanding paragraph 2, Part IV [Trade] of this Agreement may be applied by the European Union and each of the Republics of the CA [Central America] Party from the first day of the month following the date on which they have notified each other of the completion of the internal legal procedures necessary for this purpose. In this case, the institutional bodies necessary for the functioning of the Agreement shall exercise their functions.</p> <p>5. By the date of entry into force as provided in paragraph 2, or by the date of application of this Agreement, if applied pursuant to paragraph 4, each Party shall have fulfilled the requirements established in Article 244 [System of Protection] and Article 245 [Established Geographical Applications], paragraph 1(a) and (b) of Title VI (Intellectual Property) of Part IV of this Agreement. If a Republic of the CA Party has not fulfilled such requirements, the Agreement shall not enter into force in accordance with paragraph 2 or shall not be applied in accordance with paragraph 4 between the EU [European Union] Party and such non-compliant Republic of the CA Party, until those requirements have been fulfilled.</p> <p>6. Where a provision of this Agreement is applied in accordance with paragraph 4, any reference in such provision to the date of entry into force of this Agreement shall be understood to refer to the date from which the Parties agree to apply that provision in accordance with paragraph 4.</p>	<p>Article 3, Council Decision of 25 June 2012 on the signing, on behalf of the European Union, of the <i>Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other</i>, and the provisional application of Part IV thereof concerning trade matters (2012/734/EU) (<i>Official Journal of the European Union</i>, No. L 346, 15 December 2012, p. 1)</p> <p>Part IV of the Agreement shall be applied on a provisional basis by the European Union in accordance with Article 353(4) of the Agreement, pending the completion of the procedures for its conclusion. Article 271 shall not be provisionally applied.</p> <p>In order to determine the date of provisional application the Council shall fix the date by which the notification referred to in Article 353(4) of the Agreement is to be sent to the Republics of Central America. That notification shall include reference to the provision which is not to be provisionally applied.</p> <p>The date from which Part IV of the Agreement will be provisionally applied shall be published in the <i>Official Journal of the European Union</i> by the General Secretariat of the Council.</p>

²⁶⁰ Doc. A/CN.4/699/Add.1 (2016).

Agreement	Article in Agreement	Article in Council Decision
<p><i>Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part (Official Journal of the European Union, No. L 352, 30 December 2002, p. 3)</i></p>	<p>7. The Parties for which Part IV of this Agreement has entered into force in accordance with paragraph 2 or 4 of this Article may also use materials originating in the Republics of the CA Party for which the Agreement is not in force.</p> <p>Article 198 (Entry into force)</p> <p>1. This Agreement shall enter into force the first day of the month following that in which the Parties have notified each other of the completion of the procedures necessary for this purpose.</p> <p>2. Notifications shall be sent to the Secretary General of the Council of the European Union, who shall be the depository of this Agreement.</p> <p>3. Notwithstanding paragraph 1, the Community and Chile agree to apply Articles 3 to 11 [Title II (Institutional framework) of Part I (General and institutional provisions)], Article 18 [Cooperation on standards, technical regulations and conformity assessment procedures], Articles 24 to 27 [Cooperation on agriculture and rural sectors and sanitary and phytosanitary measures; Fisheries; Customs cooperation; Cooperation on statistics], Articles 48 to 54 [Title VII (General Provisions) of Part III (Cooperation)], Article 55 (a), (b), (f), (h), (i) [some of the Objectives of Part IV (Trade and trade-related matters)], Articles 56 [Customs unions and free trade areas] to 93 [Articles 57 to 93 compose Title II (Free movement of Goods) of Part IV], Articles 136 to 162 [Title IV (Government procurement) of Part IV], and Articles 172 to 206 [Title VII (Competition), Title VIII (Dispute settlement), Title IX (Transparency), Title X (Specific tasks in trade matters of the bodies established under this Agreement) and Title XI (Exceptions in the area of trade) of Part IV, and Part V (Final provisions)], from the first day of the month following the date on which the Community and Chile have notified each other of the completion of the procedures necessary for this purpose.</p>	<p>Article 2, Council Decision of 18 November 2002 on the signature and provisional application of certain provisions of an <i>Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part</i> (2002/979/EC) (<i>Official Journal of the European Union</i>, No. L 352, 30 December 2002, p. 1)</p> <p>The following provisions of the Association Agreement shall be applied on a provisional basis pending its entry into force: Articles 3 to 11, Article 18, Articles 24 to 27, Articles 48 to 54, Article 55(a), (b), (f), (h), (i), Articles 56 to 93, Articles 136 to 162, and Articles 172 to 206.</p>

Agreement	Article in Agreement	Article in Council Decision
<p><i>Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part (Official Journal of the European Union, No. L 161, 29 May 2014, p. 3)</i></p>	<p>4. Where a provision of this Agreement is applied by the Parties pending its entry into force, any reference in such provision to the date of entry into force of this Agreement shall be understood to be made to the date from which the Parties agree to apply that provision in accordance with paragraph 3.</p>	
	<p>5. From the date of its entry into force in accordance with paragraph 1, this Agreement shall replace the Framework Cooperation Agreement. By way of exception, the Protocol on Mutual Assistance in Customs Matters to the Framework Cooperation Agreement of 13 June 2001, shall remain in force and become an integral part of this Agreement.</p>	
	<p>Article 486 (Entry into force and provisional application)</p>	<p>Article 4, Council Decision of 23 June 2014 on the signing, on behalf of the European Union, and provisional application of the <i>Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part</i>, as regards Title III (with the exception of the provisions relating to the treatment of third-country nationals legally employed as workers in the territory of the other Party) and Titles IV, V, VI and VII thereof, as well as the related Annexes and Protocols (2014/668/EU) (<i>Official Journal of the European Union</i>, No. L 278, 20 September 2014, p. 1)</p>
	<p>1. The Parties shall ratify or approve this Agreement in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.</p>	
	<p>2. This Agreement shall enter into force on the first day of the second month following the date of deposit of the last instrument of ratification or approval.</p>	
<p>3. Notwithstanding paragraph 2, the Union and Ukraine agree to provisionally apply this Agreement in part, as specified by the Union, as set out in paragraph 4 of this Article, and in accordance with their respective internal procedures and legislation as applicable.</p>		
<p>4. The provisional application shall be effective from the first day of the second month following the date of receipt by the Depositary of the following:—the Union’s notification on the completion of the procedures necessary for this purpose, indicating the parts of the Agreement that shall be provisionally applied; and—Ukraine’s deposit of the instrument of ratification in accordance with its procedures and applicable legislation.</p>	<p>Pending its entry into force, in accordance with Article 486 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 Ukraine, but only to the extent that they cover matters falling within the Union’s competence:</p> <p>– Title III: Articles 14 and 19;</p>	

Agreement	Article in Agreement	Article in Council Decision
	<p>5. For the purpose of the relevant provisions of this Agreement, including its respective Annexes and Protocols, any reference in such provisions to the “date of entry into force of this Agreement” shall be understood to the “date from which this Agreement is provisionally applied” in accordance with paragraph 3 of this Article.</p>	<p>– Title IV (with the exception of Article 158, to the extent that it concerns criminal enforcement of intellectual property rights; and Articles 285 and 286, to the extent that those Articles apply to administrative proceedings, review and appeal at Member State level).</p>
	<p>6. During the period of the provisional application, in so far as the provisions of the <i>Partnership and Cooperation Agreement between the European Communities and their Member States, on the one hand, and Ukraine, on the other hand</i>, signed in Luxembourg on 14 June 1994 and which entered into force on 1 March 1998, are not covered by the provisional application of this Agreement, they continue to apply.</p>	<p>The provisional application of Article 279 shall not affect the sovereign rights of the Member States over their hydrocarbon resources in accordance with international law, including their rights and obligations as Parties to the 1982 United Nations Convention on the Law of the Sea.</p>
	<p>7. Either Party may give written notification to the Depositary of its intention to terminate the provisional application of this Agreement. Termination of provisional application shall take effect six months after receipt of the notification by the Depositary.</p>	<p>Provisional application of Article 280(3) by the Union shall not affect the existing delineation of competences between the Union and its Member States in respect of the granting of authorisations for the prospection, exploration and production of hydrocarbon,</p>
		<p>– Title V: Chapter 1 (with the exception of Articles 338(k), 339 and 342), Chapter 6 (with the exception of Articles 361, Article 362(1)(c), Article 364, and points (a) and (c) of Article 365), Chapter 7 (with the exception of Article 368(3) and point (a) and (d) of Article 369), Chapters 12 and 17 (with the exception of Article 404(h)), Chapter 18 (with the exception of Articles 410 (b) and Article 411), Chapters 20, 26 and 28, as well as Articles 353 and 428,</p>
		<p>– Title VI,</p>
		<p>– Title VII (with the exception of Article 479(1)), to the extent that the provisions of this Title are limited to the purpose of ensuring the provisional application of the Agreement in accordance with this Article,</p>

Agreement	Article in Agreement	Article in Council Decision
<p><i>Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part</i> (Official Journal of the European Union, No. L 260, 30 August 2014, p. 4)</p>	<p>Article 464 (Entry into force and provisional application)</p> <p>1. The Parties shall ratify or approve this Agreement in accordance with their internal procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.</p> <p>2. This Agreement shall enter into force on the first day of the second month following the date of the deposit of the last instrument of ratification or approval.</p> <p>3. Notwithstanding paragraph 2 of this Article, the Union and the Republic of Moldova agree to provisionally apply this Agreement in part, as specified by the Union, as set out in paragraph 4 of this Article, and in accordance with their respective internal procedures and legislation, as applicable.</p> <p>4. The provisional application shall be effective from the first day of the second month following the date of receipt by the depositary of this Agreement of the following:</p> <p>(a) the Union's notification on the completion of the procedures necessary for this purpose, indicating the parts of the Agreement that shall be provisionally applied; and</p> <p>(b) the Republic of Moldova's notification of the completion of the procedures necessary for the provisional application of this Agreement.</p>	<p>– Annexes I to XXVI, Annex XXVII (with the exception of nuclear issues), Annexes XXVIII to XXXVI (with the exception of point 3 in Annex XXXII),</p> <p>– Annexes XXXVIII to XLI, Annexes XLIII and XLIV, as well as Protocols I to III.</p> <p>Article 3, Council Decision of 16 June 2014 on the signing, on behalf of the European Union, and provisional application of the <i>Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part</i> (2014/492/EU) (Official Journal of the European Union, No. L 260, 30 August 2014, p. 1)</p> <p>1. Pending its entry into force, in accordance with Article 464 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 Moldova, but only to the extent that they cover matters falling within the Union's competence, including matters falling within the Union's competence to define and implement a common foreign and security policy:</p> <p>(a) Title I;</p> <p>(b) Title II: Articles 3, 4, 7 and 8;</p> <p>(c) Title III: Articles 12 and 15;</p>

Agreement	Article in Agreement	Article in Council Decision
	<p>5. For the purposes of the relevant provisions of this Agreement, including its respective Annexes and Protocols, as laid down in Article 459, any reference in such provisions to the 'date of entry into force of this Agreement' shall be understood to the 'date from which this Agreement is provisionally applied' in accordance with paragraph 3 of this Article.</p> <p>6. During the period of provisional application, in so far as the provisions of the <i>Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Moldova, of the other part</i>, signed in Luxembourg on 28 November 1994 and which entered into force on 1 July 1998, are not covered by the provisional application of this Agreement, those provisions shall continue to apply.</p> <p>7. Either Party may give written notification to the depositary of this Agreement of its intention to terminate the provisional application of this Agreement. Termination of provisional application shall take effect six months after receipt of the notification by the depositary of this Agreement.</p>	<p>(d) Title IV: Chapters 5, 9 and 12 (with the exception of point (h) of Article 68), Chapter 13 (with the exception of Article 71 to the extent that it concerns maritime governance and with the exception of points (b) and (e) of Article 73 and Article 74), Chapter 14 (with the exception of point (i) of Article 77), Chapter 15 (with the exception of points (a) and (e) of Article 81 and Article 82(2)), Chapter 16 (with the exception of Article 87, point (c) of Article 88 and points (a) and (b) of Article 89, to the extent that that point (b) concerns soil protection), Chapters 26 and 28, as well as Articles 30, 37, 46, 57, 97, 102 and 116;</p> <p>(e) Title V (with the exception of Article 278 to the extent that it concerns criminal enforcement of intellectual property rights, and with the exception of Articles 359 and 360 to the extent that they apply to administrative proceedings and review and appeal at Member State level);</p> <p>(f) Title VI;</p> <p>(g) Title VII (with the exception of Article 456(1), to the extent that the provisions of that Title are limited to the purpose of ensuring the provisional application of the Agreement as defined in this paragraph);</p> <p>(h) Annexes II to XIII, Annexes XV to XXXV, as well as Protocols I to IV.</p> <p>2. The date from which the Agreement will be provisionally applied will be published in the Official Journal of the European Union by the General Secretariat of the Council.</p>

<i>Agreement</i>	<i>Article in Agreement</i>	<i>Article in Council Decision</i>
<i>Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part (Official Journal of the European Union, No. L 261, 30 August 2014, p. 4)</i>	<p>Article 431 (Entry into force and provisional application)</p> <ol style="list-style-type: none"> 1. The Parties shall ratify or approve this Agreement in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union. 2. This Agreement shall enter into force on the first day of the second month following the date of the deposit of the last instrument of ratification or approval. 3. Notwithstanding paragraph 2 of this Article, the Union and Georgia agree to provisionally apply this Agreement in part, as specified by the Union, as set out in paragraph 4 of this Article, and in accordance with their respective internal procedures and legislation as applicable. 4. The provisional application shall be effective from the first day of the second month following the date of receipt by the depositary of this Agreement of the following: <ol style="list-style-type: none"> (a) the Union's notification on the completion of the procedures necessary for this purpose, indicating the parts of this Agreement that shall be provisionally applied; and (b) Georgia's deposit of the instrument of ratification in accordance with its procedures and applicable legislation. 5. For the purpose of the relevant provisions of this Agreement, including the respective Annexes and Protocols hereto, any reference in such provisions to the 'date of entry into force of this Agreement' shall be understood to the 'date from which this Agreement is provisionally applied' in accordance with paragraph 3 of this Article. 	<p>Article 3, Council Decision of 16 June 2014 on the signing, on behalf of the European Union, and provisional application of the <i>Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part (2014/494/EU)</i> (<i>Official Journal of the European Union</i>, No. L 261, 30 August 2014, p. 1)</p> <ol style="list-style-type: none"> 1. Pending its entry into force, in accordance with Article 431 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 Georgia, but only to the extent that they cover matters falling within the Union's competence, including matters falling within the Union's competence to define and implement a common foreign and security policy: <ol style="list-style-type: none"> (a) Title I; (b) Title II: Articles 3 and 4 and Articles 7 to 9; (c) Title III: Articles 13 and 16; (d) Title IV (with the exception of Article 151, to the extent that it concerns criminal enforcement of intellectual property rights; and with the exception of Articles 223 and 224, to the extent that they apply to administrative proceedings and review and appeal at Member State level); (e) Title V: Articles 285 and 291;

Agreement	Article in Agreement	Article in Council Decision
	<p>6. During the period of the provisional application, in so far as the provisions of the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Georgia, of the other part, signed in Luxembourg on 22 April 1996 and which entered into effect on 1 July 1999, are not covered by the provisional application of this Agreement, they continue to apply.</p>	<p>(f) Title VI: Chapter 1 (with the exception of point (a) of Article 293, point (e) of Article 293, points (a) and (b) of Article 294(2)), Chapter 2 (with the exception of point (k) of Article 298), Chapter 3 (with the exception of Article 302(1)), Chapters 7 and 10 (with the exception of point (i) of Article 333), Chapter 11 (with the exception of point (b) of Article 338 and Article 339), Chapters 13, 20 and 23, as well as Articles 312, 319, 327, 354 and 357;</p>
	<p>7. Either Party may give written notification to the depositary of this Agreement of its intention to terminate the provisional application of this Agreement. Termination of provisional application shall take effect six months after receipt of the notification by the depositary of this Agreement.</p>	<p>(g) Title VII;</p> <p>(h) Title VIII (with the exception of Article 423(1), to the extent that the provisions of that Title are limited to the purpose of ensuring the provisional application of the Agreement as defined in this paragraph);</p>
		<p>(i) Annexes II to XXXI and Annex XXXIV, as well as Protocols I to IV.</p>
		<p>2. The date from which the Agreement will be provisionally applied will be published in the <i>Official Journal of the European Union</i> by the General Secretariat of the Council.</p>

Framework Agreements/Partnership and Cooperation Agreements

Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part (*Official Journal of the European Union*, No. L 20, 23 January 2013, p. 2)

Article 49 (Entry into force, duration and termination)

1. This Agreement shall enter into force on the first day of the month following the date on which the Parties have notified each other of the completion of the legal procedures necessary for that purpose.

Article 2, Council Decision of 10 May 2010 on the signing, on behalf of the European Union, and provisional application of the *Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part* (2013/40/EU) (*Official Journal of the European Union*, No. L 20, 23 January 2013, p. 1)

Agreement	Article in Agreement	Article in Council Decision
<p><i>Framework Agreement between the United States of America and the European Union on the participation of the United States of America in European Union crisis management operations (Official Journal of the European Union, No. L 143, 31 May 2011, p. 2)</i></p>	<p>2. Notwithstanding paragraph 1, this Agreement shall be applied on a provisional basis pending its entry into force. The provisional application begins on the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures.</p> <p>3. This Agreement shall be valid indefinitely. Either Party may notify in writing the other Party of its intention to denounce this Agreement. The denunciation shall take effect six months after the notification.</p>	<p>Pending the completion of the necessary procedures for its entry into force, the Agreement shall be applied on a provisional basis. The provisional application begins on the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for provisional application.</p>
<p><i>Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part (Official Journal of the European Union, No. L 204, 31 July 2012, p. 20)</i></p>	<p>Article 10 (Entry into force and termination)</p> <p>1. This Agreement shall enter into force on the first day of the first month after the Parties have notified each other of the completion of the internal procedures necessary for that purpose.</p> <p>2. This Agreement shall be provisionally applied from the date of signature.</p> <p>3. This Agreement shall be subject to regular review by the Parties.</p> <p>4. This Agreement may be amended on the basis of a mutual written agreement between the Parties.</p> <p>5. Either Party may terminate this Agreement upon six months' written notice to the other Party.</p> <p>Article 117 (Provisional Application)</p> <p>1. Notwithstanding Article 116, the Union and Iraq agree to apply Article 2 [Basis], and Titles II [Trade and investments], III [Areas of cooperation] and V [Institutional, general and final provisions] of this Agreement from the first day of the third month following the date on which the Union and Iraq have notified each other of the completion of the procedures necessary for this purpose. Notifications shall be sent to the Secretary-General of the Council of the European Union, who shall be the depository of this agreement.</p>	<p>Article 3, Council Decision 2011/318/CFSP of 31 March 2011 on the signing and conclusion of the <i>Framework Agreement between the United States of America and the European Union on the participation of the United States of America in European Union crisis management operations (Official Journal of the European Union, No. L 143, 31 May 2011, p. 1)</i></p> <p>The Agreement shall be applied on a provisional basis as from the date of signature thereof, pending the completion of the procedures for its conclusion.</p>
		<p>Article 3, Council Decision of 21 December 2011 on the signing, on behalf of the European Union, and provisional application of certain provisions of the <i>Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part (2012/418/EU) (Official Journal of the European Union, No. L 204, 31 July 2012, p. 18)</i></p>

<i>Agreement</i>	<i>Article in Agreement</i>	<i>Article in Council Decision</i>
<i>Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part (Official Journal of the European Union, No. L 29, 4 February 2016, p. 3)</i>	<p data-bbox="364 729 761 784">Article 281 (Entry into force, provisional application, duration and termination)</p> <p data-bbox="364 806 761 1015">1. This Agreement shall enter into force on the first day of the month following the date on which the Parties notify the General Secretariat of the Council of the European Union through diplomatic channels of the completion of the procedures necessary for this purpose.</p> <p data-bbox="364 1037 761 1406">2. Title III (Trade and Business), unless otherwise specified therein, shall apply as of the date of the entry into force referred to in paragraph 1, provided that the Republic of Kazakhstan has become a Member of the WTO by that date. In case the Republic of Kazakhstan becomes a Member of the WTO after the date of entry into force of this Agreement, Title III (Trade and Business), unless otherwise specified therein, shall apply as of the date the Republic of Kazakhstan has become a Member of the WTO.</p> <p data-bbox="364 1428 761 1588">3. Notwithstanding paragraphs 1 and 2, the European Union and the Republic of Kazakhstan may apply this Agreement provisionally in whole or in part, in accordance with their respective internal procedures and legislation, as applicable.</p>	<p data-bbox="786 293 1097 717">Pending the completion of the necessary procedures for its entry into force, Article 2 and Titles II, III, and V of the Agreement shall be applied provisionally, in accordance with Article 117 of the Agreement only in so far as it concerns matters falling within the Union's competence, from the first day of the third month following the date on which the Union and Iraq have notified each other of the completion of the necessary procedures for provisional application.</p>

Agreement	Article in Agreement	Article in Council Decision
	<p>4. The provisional application begins on the first day of the first month following the date on which:</p>	
	<p>(a) the European Union has notified the Republic of Kazakhstan of the completion of the necessary procedures, indicating, where relevant, the parts of this Agreement that shall be provisionally applied; and</p>	
	<p>(b) the Republic of Kazakhstan has notified the European Union of the ratification of this Agreement.</p>	
	<p>5. Title III (Trade and Business), unless otherwise specified therein, shall apply provisionally as of the date of provisional application referred to in paragraph 4, provided that the Republic of Kazakhstan has become a Member of the WTO by that date. In case the Republic of Kazakhstan becomes a Member of the WTO after the date of the provisional application of this Agreement but before its entry into force, Title III (Trade and Business), unless otherwise specified therein, shall apply provisionally as of the date the Republic of Kazakhstan has become a Member of the WTO.</p>	
	<p>6. For the purposes of the relevant provisions of this Agreement, including the Annexes and Protocols hereto, any reference in such provisions to the 'date of entry into force of this Agreement' shall be understood to also refer to the date from which this Agreement is provisionally applied in accordance with paragraphs 4 and 5.</p>	
	<p>7. Upon the entry into force of this Agreement, the <i>Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Kazakhstan, of the other part</i>, signed on 23 January 1995 and in force from 1 July 1999, shall be terminated.</p>	

<i>Agreement</i>	<i>Article in Agreement</i>	<i>Article in Council Decision</i>
	<p>During the period of the provisional application, in so far as the provisions of the <i>Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Kazakhstan, of the other part</i>, signed in Brussels on 23 January 1995 and which entered into force on 1 July 1999, are not covered by the provisional application of this Agreement, they continue to apply.</p> <p>8. This Agreement replaces the Agreement referred to in paragraph 7. References to that Agreement in all other agreements between the Parties shall be construed as referring to this Agreement.</p> <p>9. This Agreement is concluded for an unlimited period, with the possibility of termination by either Party by means of a written notification delivered to the other Party through diplomatic channels. The termination shall take effect six months after receipt by a Party of the notification to terminate this Agreement. Such termination shall not affect ongoing projects commenced under this Agreement prior to the receipt of the notification.</p> <p>10. Either Party may terminate the provisional application by means of a written notification delivered to the other Party through diplomatic channels. The termination shall take effect six months after receipt by a Party of the notification to terminate the provisional application of this Agreement. Such termination shall not affect ongoing projects commenced under this Agreement prior to the receipt of the notification.</p>	

Agreement	Article in Agreement	Article in Council Decision
Other Agreements (services, etc.)		
<p><i>Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part (Official Journal of the European Union, No. L 127, 14 May 2011, p. 6)</i></p>	<p>Article 15.10 (Entry into force), paragraph 5</p> <p>5. (a) This Agreement shall be provisionally applied from the first day of the month following the date on which the EU Party and Korea have notified each other of the completion of their respective relevant procedures.</p> <p>(b) In the event that certain provisions of this Agreement cannot be provisionally applied, the Party which cannot undertake such provisional application shall notify the other Party of the provisions which cannot be provisionally applied. Notwithstanding subparagraph (a), provided the other Party has completed the necessary procedures and does not object to provisional application within 10 days of the notification that certain provisions cannot be provisionally applied, the provisions of this Agreement which have not been notified shall be provisionally applied the first day of the month following the notification.</p> <p>(c) A Party may terminate provisional application by written notice to the other Party. Such termination shall take effect on the first day of the month following notification.</p> <p>(d) Where this Agreement, or certain provisions thereof, is provisionally applied, the term ‘entry into force of this Agreement’ shall be understood to mean the date of provisional application.</p>	<p>Article 3, Council Decision of 16 September 2010 on the signing, on behalf of the European Union, and provisional application of the <i>Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part (2011/265/EU) (Official Journal of the European Union, No. L 127, 14 May 2011, p. 1)</i>.</p> <p>1. The Agreement shall be applied on a provisional basis by the Union as provided for in Article 15.10.5 of the Agreement, pending the completion of the procedures for its conclusion. The following provisions shall not be provisionally applied:</p> <ul style="list-style-type: none"> – Articles 10.54 to 10.61 (criminal enforcement of intellectual property rights), – Articles 4(3), 5(2), 6(1), 6(2), 6(4), 6(5), 8, 9 and 10 of the Protocol on cultural cooperation <p>2. In order to determine the date of provisional application the Council shall fix the date by which the notification referred to in Article 15.10.5 of the Agreement is to be sent to Korea. That notification shall include references to those provisions which cannot be provisionally applied.</p> <p>The Council shall coordinate the effective date of provisional application with the date of the entry into force of the proposed Regulation of the European Parliament and of the Council implementing the bilateral safeguard clause of the EU-Korea Free Trade Agreement.</p>

Agreement	Article in Agreement	Article in Council Decision
<p><i>Agreement between the European Community and the Government of Australia on certain aspects of air services (Official Journal of the European Union, No. L 149, 7 June 2008, p. 65)</i></p>	<p>Article 7 (Entry into force)</p> <p>1. This Agreement shall enter into force when the Contracting Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.</p> <p>2. Notwithstanding paragraph 1, the Contracting Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.</p> <p>3. Agreements and other arrangements between Member States and Australia which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b) [Air services agreements and other arrangements initialled or signed between the Commonwealth of Australia and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally]. This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.</p>	<p>3. The date from which the Agreement will be provisionally applied will be published in the <i>Official Journal of the European Union</i> by the General Secretariat of the Council.</p> <p>Article 3, Council Decision of 7 April 2008 on the signing and provisional application of the <i>Agreement between the European Community and the Government of Australia on certain aspects of air services (2008/420/EC) (Official Journal of the European Union, No. L 149, 7 June 2008, p. 63)</i></p> <p>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for this purpose.</p>
<p><i>Agreement between the European Community and the Hashemite Kingdom of Jordan on certain aspects of air services (Official Journal of the European Union, No. L 68, 12 March 2008, p. 15)</i></p>	<p>Article 9 (Entry into force and provisional application)</p> <p>1. This Agreement shall enter into force when the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.</p>	<p>Article 3, Council Decision of 25 June 2007 on the signing and provisional application of the <i>Agreement between the European Community and the Hashemite Kingdom of Jordan on certain aspects of air services (2008/216/EC) (Official Journal of the European Union, No. L 68, 12 March 2008, p. 14)</i></p>

Agreement	Article in Agreement	Article in Council Decision
<p><i>Agreement between the European Community and the United Arab Emirates on certain aspects of air services (Official Journal of the European Union, No. L 28, 1 February 2008, p. 21)</i></p>	<p>2. Notwithstanding paragraph 1, the Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.</p> <p>3. Agreements and other arrangements between Member States and the Hashemite Kingdom of Jordan which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b) [Air service agreements and other arrangements initialled or signed between Jordan and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally]. This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.</p>	<p>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the parties have notified each other of the completion of the necessary procedures for this purpose.</p>
	<p>Article 9 (Entry into force and provisional application)</p> <p>1. This Agreement shall enter into force when the Contracting Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.</p> <p>2. Notwithstanding paragraph 1, the Contracting Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.</p>	<p>Article 3, Council Decision of 30 October 2007 on the signing and provisional application of the <i>Agreement between the European Community and the United Arab Emirates on certain aspects of air services (2008/87/EC)</i> (<i>Official Journal of the European Union</i>, No. L 28, 1 February 2008, p. 20)</p> <p>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Contracting Parties have notified each other of the completion of the necessary procedures for this purpose.</p>

Agreement	Article in Agreement	Article in Council Decision
<p><i>Agreement between the European Community and the Government of the Kyrgyz Republic on certain aspects of air services (Official Journal of the European Union, No. L 179, 7 July 2007, p. 20)</i></p>	<p>3. Agreements and other arrangements between Member States and the United Arab Emirates which, at the date of the signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b) [Air services agreements and other arrangements initialled or signed between the United Arab Emirates and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally.—<i>Agreement between the Government of Romania and the Government of the United Arab Emirates relating to civil air transport</i> initialled at Abu Dhabi on 8 March 1989, hereinafter referred to as ‘the United Arab Emirates-Romania Agreement’ in Annex II; To be read together with the Confidential Memorandum of Understanding done at Abu Dhabi on 8 March 1989]. This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.</p> <p>Article 9 (Entry into force and provisional application)</p> <p>1. This Agreement shall enter into force when the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.</p> <p>2. Notwithstanding paragraph 1, the Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.</p> <p>3. This Agreement shall apply to all Agreements and other arrangements between Member States and the Kyrgyz Republic listed in Annex I which, at the date of signature of this Agreement, have not yet entered into force, upon their entry into force or provisional application.</p>	<p>Article 3, Council Decision of 30 May 2007 on the signing and provisional application of the <i>Agreement between the European Community and the Government of the Kyrgyz Republic on certain aspects of air services (2007/470/EC)</i> (<i>Official Journal of the European Union</i>, No. L 179, 7 July 2007, p. 20)</p> <p>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.</p>

<i>Agreement</i>	<i>Article in Agreement</i>	<i>Article in Council Decision</i>
<i>Agreement between the European Community and New Zealand on certain aspects of air services (Official Journal of the European Union, No. L 184, 6 July 2006, p. 26)</i>	<p>Article 8 (Entry into force)</p> <p>1. This Agreement shall enter into force when the Contracting Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.</p> <p>2. Notwithstanding paragraph 1, the Contracting Parties agree to apply this Agreement provisionally from the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.</p> <p>3. Agreements and other arrangements between Member States and New Zealand which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b) [Air services agreements and other arrangements initialled or signed between New Zealand and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally]. This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.</p>	<p>Article 3, Council Decision of 5 May 2006 on the signing and provisional application of the Agreement between the European Community and New Zealand on certain aspects of air services (2006/466/EC) (Official Journal of the European Union, No. L 184, 6 July 2006, p. 25)</p> <p>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for this purpose.</p>
<i>Agreement between the European Community and the Government of the Republic of Singapore on certain aspects of air services (Official Journal of the European Union, No. L 243, 6 September 2006, p. 22)</i>	<p>Article 7 (Entry into force)</p> <p>1. This Agreement shall enter into force when the Contracting Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.</p> <p>2. Notwithstanding paragraph 1, the Contracting Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.</p>	<p>Article 3, Council Decision of 5 May 2006 on the signing and provisional application of the <i>Agreement between the European Community and the Government of the Republic of Singapore on certain aspects of air services</i> (2006/592/EC) (Official Journal of the European Union, No. L 243, 6 September 2006, p. 21)</p> <p>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for this purpose.</p>

Agreement	Article in Agreement	Article in Council Decision
<p><i>Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part and the Kingdom of Morocco, of the other part (Official Journal of the European Union, No. L 386, 29 December 2006, p. 57)</i></p>	<p>3. Agreements and other arrangements between Member States and Singapore which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b) [Air services agreements and other arrangements initialled or signed between the Republic of Singapore and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally]. This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.</p> <p>Article 30 (Entry into force)</p> <p>1. This Agreement shall be applied provisionally, in accordance with the national laws of the Contracting Parties, from the date of signature.</p> <p>2. This Agreement shall enter into force one month after the date of the last note in an exchange of diplomatic notes between the Contracting Parties confirming that all necessary procedures for entry into force of this Agreement have been completed. For purposes of this exchange, the Kingdom of Morocco shall deliver to the General Secretariat of the Council of the European Union its diplomatic note to the European Community and its Member States, and the General Secretariat of the Council of the European Union shall deliver to the Kingdom of Morocco the diplomatic note from the European Community and its Member States. The diplomatic note from the European Community and its Member States shall contain communications from each Member State confirming that its necessary procedures for entry into force of this Agreement have been completed.</p>	<p>Article 1, Decision of the Council and of the representatives of the Governments of the Member States, meeting within the Council of 4 December 2006 (2006/959/EC) (<i>Official Journal of the European Union</i>, No. L 386, 29 December 2006, p. 55)</p> <p>Signature and provisional application</p> <p>1. The signing of the <i>Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part</i>, hereinafter ‘the Agreement’, is hereby approved on behalf of the Community, subject to the conclusion of the Agreement.</p> <p>2. The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Community, subject to its conclusion.</p> <p>3. Pending its entry into force, the Agreement shall be applied in accordance with Article 30(1) thereof.</p> <p>4. The text of the Agreement is attached to this Decision.</p>

Agreement	Article in Agreement	Article in Council Decision
<p><i>Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part (Official Journal of the European Union, No. L 143, 30 May 2006, p. 2)</i></p>	<p>Article 93 (Interim Agreement)</p> <p>In the event that, pending the completion of the procedures necessary for the entry into force of this Agreement, the provisions of certain parts of this Agreement, in particular those relating to the free movement of goods, are put into effect by means of an Interim Agreement between the Community and Lebanon, the parties agree that, in such circumstances, for the purposes of Titles II and IV of this Agreement and Annexes 1 and 2 and Protocols 1 to 5 thereto, the terms ‘date of entry into force of this Agreement’ mean the date of entry into force of the Interim Agreement in relation to obligations contained in these Articles, Annexes and Protocols.</p>	<p>Council Decision of 14 February 2006 concerning the conclusion of the <i>Euro-Mediterranean Agreement establishing an association between the European Community and its Member States of the one part, and the Republic of Lebanon, of the other part (2006/356/EC) (Official Journal of the European Union, No. L 143, 30 May 2006, p. 1)</i></p>

Protocol for the accession of Bulgaria, Croatia and Romania

<p><i>Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, to take account of the accession of the Republic of Croatia to the European Union (Official Journal of the European Union, No. L 373, 1 December 2014, p. 3)</i></p>	<p>Article 4</p> <ol style="list-style-type: none"> 1. This Protocol shall be approved by the Parties, in accordance with their own procedures. The Parties shall notify each other of the completion of the procedures necessary for that purpose. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union. 2. This Protocol shall enter into force on the first day of the first month following the date of deposit of the last instrument of approval. 3. This Protocol shall apply provisionally after 15 days from the date of its signature. 4. This Protocol shall apply to the relations between the Parties within the framework of the Agreement as of the date of accession of the Republic of Croatia to the European Union. 	<p>Article 3, Council Decision of 23 July 2014 on the signing, on behalf of the European Union and its Member States, and provisional application, of the <i>Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, to take account of the accession of the Republic of Croatia to the European Union (2014/956/EU) (Official Journal of the European Union, No. L 373, 31 December 2014, p. 1)</i></p> <p>The Protocol shall be applied on a provisional basis, as from 1 July 2013, pending the completion of the procedures for its conclusion.</p>
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<i>Agreement</i>	<i>Article in Agreement</i>	<i>Article in Council Decision</i>
	<p>Article 14</p> <p>1. This Protocol shall enter into force on the first day of the first month following the date of the deposit of the last instrument of approval.</p> <p>2. If not all the instruments of approval of this Protocol have been deposited before the first day of the second month following the date of signature, this Protocol shall apply provisionally. The date of provisional application shall be the first day of the second month following the date of signature.</p>	<p>Article 3, Council Decision of 14 April 2014 on the signing, on behalf of the European Union and its Member States, and provisional application of the <i>Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part, to take account of the accession of the Republic of Croatia to the European Union</i> (2014/517/EU) (<i>Official Journal of the European Union</i>, No. L 233, 6 August 2014, p. 1)</p> <p>The Protocol shall be applied on a provisional basis, in accordance with its Article 14, as from the first day of the second month following the date of its signature, pending the completion of the procedures for its conclusion.</p>