

Treaty Series

*Treaties and international agreements
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Recueil des Traités

*Traités et accords internationaux
enregistrés
ou classés et inscrits au répertoire
au Secrétariat de l'Organisation des Nations Unies*

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VOLUME 2008

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New York, 2000

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VOLUME 2008

1998

I. Nos. 34462 (continued)-34463

TABLE OF CONTENTS

I

*Treaties and international agreements
registered on 17 March 1998*

	<i>Page</i>
No. 34462. European Communities and their member States, of the one part, and Russian Federation, of the other part (continued):	
Agreement on partnership and cooperation between the European Communities and their member States, of the one part, and the Russian Federation, of the other part (with annexes, protocols, and final act). Signed at Corfu on 24 June 1994.....	3
No. 34463. European Communities and their member States, of the one part, and Tunisia, of the other part:	
Euro-Mediterranean Agreement establishing an Association between the European Communities and their member States, of the one part, and the Republic of Tunisia, of the other part (with annexes, protocols, and final act). Signed at Brussels on 17 July 1995.....	161

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I. N^{os} 34462 (suite)-34463

TABLE DES MATIÈRES

I

*Traités et accords internationaux
enregistrés le 17 mars 1998*

	<i>Pages</i>
N^o 34462. Communautés européennes et leurs États membres, d'une part, et Fédération de Russie, d'autre part (suite) :	
Accord de partenariat et de coopération établissant un partenariat entre les Communautés européennes et leurs États membres, d'une part, et la Fédération de Russie, d'autre part (avec annexes, protocoles, et acte final). Signé à Corfou le 24 juin 1994	3
N^o 34463. Communautés européennes et leurs États membres, d'une part, et Tunisie, d'autre part :	
Accord euro-méditerranéen établissant une association entre les Communautés européennes et leurs États membres, d'une part, et la République tunisienne, d'autre part (avec annexes, protocoles, et acte final). Signé à Bruxelles le 17 juillet 1995	161

NOTE BY THE SECRETARIAT

Under Article 102 of the Charter of the United Nations every treaty and every international agreement entered into by any Member of the United Nations after the coming into force of the Charter shall, as soon as possible, be registered with the Secretariat and published by it. Furthermore, no party to a treaty or international agreement subject to registration which has not been registered may invoke that treaty or agreement before any organ of the United Nations. The General Assembly, by resolution 97 (I), established regulations to give effect to Article 102 of the Charter (see text of the regulations, vol. 859, p. VIII).

The terms "treaty" and "international agreement" have not been defined either in the Charter or in the regulations, and the Secretariat follows the principle that it acts in accordance with the position of the Member State submitting an instrument for registration that so far as that party is concerned the instrument is a treaty or an international agreement within the meaning of Article 102. Registration of an instrument submitted by a Member State, therefore, does not imply a judgement by the Secretariat on the nature of the instrument, the status of a party or any similar question. It is the understanding of the Secretariat that its action does not confer on the instrument the status of a treaty or an international agreement if it does not already have that status and does not confer on a party a status which it would not otherwise have.

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NOTE DU SECRÉTARIAT

Aux termes de l'Article 102 de la Charte des Nations Unies, tout traité ou accord international conclu par un Membre des Nations Unies après l'entrée en vigueur de la Charte sera, le plus tôt possible, enregistré au Secrétariat et publié par lui. De plus, aucune partie à un traité ou accord international qui aurait dû être enregistré mais ne l'a pas été ne pourra invoquer ledit traité ou accord devant un organe des Nations Unies. Par sa résolution 97 (I), l'Assemblée générale a adopté un règlement destiné à mettre en application l'Article 102 de la Charte (voir texte du règlement, vol. 859, p. IX).

Le terme « traité » et l'expression « accord international » n'ont été définis ni dans la Charte ni dans le règlement, et le Secrétariat a pris comme principe de s'en tenir à la position adoptée à cet égard par l'Etat Membre qui a présenté l'instrument à l'enregistrement, à savoir que pour autant qu'il s'agit de cet Etat comme partie contractante l'instrument constitue un traité ou un accord international au sens de l'Article 102. Il s'ensuit que l'enregistrement d'un instrument présenté par un Etat Membre n'implique, de la part du Secrétariat, aucun jugement sur la nature de l'instrument, le statut d'une partie ou toute autre question similaire. Le Secrétariat considère donc que les actes qu'il pourrait être amené à accomplir ne confèrent pas à un instrument la qualité de « traité » ou d'« accord international » si cet instrument n'a pas déjà cette qualité, et qu'ils ne confèrent pas à une partie un statut que, par ailleurs, elle ne posséderait pas.

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Sauf indication contraire, les traductions des textes originaux des traités, etc., publiés dans ce *Recueil* ont été établies par le Secrétariat de l'Organisation des Nations Unies.

I

Treaties and international agreements

registered

on 17 March 1998

Nos. 34462 to 34463

(continued)

Traités et accords internationaux

enregistrés

le 17 mars 1998

N^{os} 34462 à 34463

(suite)

No. 34462

(continued — suite)

**EUROPEAN COMMUNITIES
AND THEIR MEMBER STATES,
OF THE ONE PART, AND RUSSIAN
FEDERATION, OF THE OTHER PART**

Agreement on partnership and cooperation between the European Communities and their member States, of the one part, and the Russian Federation, of the other part (with annexes, protocols, and final act). Signed at Corfu on 24 June 1994

*Authentic texts: Spanish, Danish, German, Greek, English, French, Italian, Dutch, Portuguese and Russian.**

Registered by the Council of the European Union on 17 March 1998.

**COMMUNAUTÉS EUROPÉENNES
ET LEURS ÉTATS MEMBRES,
D'UNE PART, ET FÉDÉRATION
DE RUSSIE, D'AUTRE PART**

Accord de partenariat et de coopération établissant un partenariat entre les Communautés européennes et leurs États membres, d'une part, et la Fédération de Russie, d'autre part (avec annexes, protocoles, et acte final). Signé à Corfou le 24 juin 1994

*Textes authentiques : espagnol, danois, allemand, grec, anglais, français, italien, néerlandais, portugais et russe.**

Enregistré par le Conseil de l'Union européenne le 17 mars 1998.

* Only the authentic English and French texts are published. The authentic French text appears in this volume; the authentic English text appears in volume 2007 — Les textes authentiques anglais et français sont les seuls à être publiés. Le texte authentique français est publié dans ce volume; le texte authentique anglais est publié dans le volume 2007.

ACCORD¹ DE PARTENARIAT ET DE COOPÉRATION ÉTABLIS-
SANT UN PARTENARIAT ENTRE LES COMMUNAUTÉS
EUROPÉENNES ET LEURS ÉTATS MEMBRES, D'UNE PART,
ET LA FÉDÉRATION DE RUSSIE, D'AUTRE PART

LE ROYAUME DE BELGIQUE,

LE ROYAUME DU DANEMARK,

LA REPUBLIQUE FEDERALE D'ALLEMAGNE,

LA REPUBLIQUE HELLENIQUE,

LE ROYAUME D'ESPAGNE,

LA REPUBLIQUE FRANCAISE,

L'IRLANDE,

LA REPUBLIQUE ITALIENNE,

LE GRAND-DUCHE DE LUXEMBOURG,

LE ROYAUME DES PAYS-BAS,

LA REPUBLIQUE PORTUGAISE,

LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD,

¹ Entré en vigueur le 1^{er} décembre 1997 par notification, conformément à l'article 112.

parties contractantes au traité instituant la Communauté européenne¹, au traité instituant la Communauté européenne du charbon et de l'acier¹ et au traité instituant la Communauté européenne de l'énergie atomique¹,

ci-après dénommés les "Etats membres", et

LA COMMUNAUTE EUROPEENNE, LA COMMUNAUTE EUROPEENNE DU CHARBON ET DE L'ACIER ET LA COMMUNAUTE EUROPEENNE DE L'ENERGIE ATOMIQUE,

ci-après dénommées "la Communauté",

d'une part, et

LA FEDERATION DE RUSSIE,

ci-après dénommée "la Russie",

d'autre part,

CONSIDERANT l'importance des liens historiques qui existent entre la Communauté, ses Etats membres et la Russie et les valeurs communes qu'ils partagent ;

RECONNAISSANT que la Communauté et la Russie souhaitent renforcer ces liens et établir un partenariat et une coopération qui approfondiraient et étendraient les relations précédemment établies entre elles, notamment par l'accord entre la Communauté économique européenne et la Communauté européenne de l'énergie atomique et l'Union des républiques socialistes soviétiques concernant le commerce et la coopération économique et commerciale, signé le 18 décembre 1989, ci-après dénommé "l'accord de 1989" ;

¹ Pour le Traité instituant la Communauté européenne du charbon et de l'acier, voir le *Recueil des Traités des Nations Unies*, vol. 261, n° I-3729. Pour le Traité instituant la Communauté économique européenne, voir le *Recueil des Traités des Nations Unies*, vols. 294 à 298, 1376 à 1378, 1383, 1452 et 1453, n° 4300. Pour le Traité instituant la Communauté européenne de l'énergie atomique, voir le *Recueil des Traités des Nations Unies*, vols. 294 à 298, 1376 à 1383, 1452 et 1453, n° 4301. Voir aussi « Acte unique européen », dans le *Recueil des Traités des Nations Unies*, vol. 1754, n° I-30614; et « Traité sur l'Union européenne », dans le *Recueil des Traités des Nations Unies*, vols. 1755 à 1759, n° I-30615.

CONSIDERANT l'engagement de la Communauté et ses Etats membres agissant dans le cadre de l'Union européenne instituée par le traité sur l'Union européenne du 7 février 1992¹, d'une part, et de la Russie, d'autre part, de renforcer les libertés politiques et économiques qui constituent le fondement même du partenariat ;

CONSIDERANT l'engagement des parties à promouvoir la paix et la sécurité internationales et le règlement pacifique des conflits et à coopérer à cette fin dans le cadre des Nations Unies, de la Conférence sur la sécurité et la coopération en Europe et d'autres enceintes ;

CONSIDERANT que la Communauté et ses Etats membres et la Russie se sont fermement engagés à mettre intégralement en oeuvre toutes les dispositions et tous les principes contenus dans l'Acte final de la Conférence sur la sécurité et la coopération en Europe² (CSCE), dans les documents de clôture des conférences de juin de Madrid³ et de Vienne⁴, dans le document de la Conférence CSCE de Bonn⁵ sur la coopération économique, dans la Charte de Paris pour une nouvelle Europe⁶ et dans le document "Les défis du changement" de la CSCE d'Helsinki de 1992⁷ ;

CONFIRMANT l'attachement de la Communauté et ses Etats membres et de la Russie aux objectifs et principes définis dans la Charte européenne de l'énergie du 17 décembre 1991⁸ et dans la Déclaration de la conférence de Lucerne d'avril 1993 ;

CONVAINCUS de l'importance capitale de l'Etat de droit et du respect des droits de l'homme, notamment de ceux des minorités, de la mise en place d'un système fondé sur le multipartisme et des élections libres et démocratiques et de la libéralisation économique visant à instaurer une économie de marché ;

¹ Nations Unies, *Recueil des Traités*, vol. 1757, n° I-30615 (textes authentiques anglais et français); vol. 1755, n° I-30615 (textes authentiques espagnol et danois); vol. 1756, n° I-30615 (textes authentiques allemand et grec); vol. 1758, n° I-30615 (textes authentiques irlandais et italien); et vol. 1759, n° I-30615 (textes authentiques néerlandais et portugais).

² *Documents d'actualité internationale*, n°s 34-35-36 (26 août — 2 et 9 septembre 1975), p. 642 (La Documentation française).

³ *Ibid.*, n° 20 (15 octobre 1983), p. 382 (La Documentation française).

⁴ *Ibid.*, n° 4 (15 février 1989), p. 70, et n° 5 (1^{er} mars 1989), p. 102 (La Documentation française).

⁵ *Ibid.*, vol. XXIX, n° 4 (1990), p. 1054 (American Society of International Law) [anglais seulement].

⁶ Nations Unies, *Documents officiels de l'Assemblée générale, quarante-cinquième session*, document A/45/859.

⁷ *Ibid.*, quarante-septième session, document A/47/361-S/24370.

⁸ *International Legal Materials*, vol. XXXIV (1995), p. 360 (American Society of International Law) [anglais seulement].

ESTIMANT que la mise en oeuvre intégrale du partenariat suppose la poursuite et l'accomplissement par la Russie de ses réformes politiques et économiques ;

DESIREUX d'encourager le processus de coopération régionale dans les domaines couverts par le présent accord entre les pays de l'ancienne URSS en vue de promouvoir la prospérité et la stabilité de la région ;

DESIREUX d'établir et de développer un dialogue politique régulier sur les questions bilatérales et internationales d'intérêt commun ;

TENANT COMPTE de la volonté de la Communauté de fournir une assistance technique, selon les besoins, à la mise en oeuvre de la réforme économique en Russie et au développement de la coopération économique ;

SACHANT que l'accord peut favoriser un rapprochement progressif entre la Russie et une zone plus vaste de coopération en Europe et dans les régions limitrophes ainsi que l'intégration progressive de la Russie dans le système commercial international ouvert ;

CONSIDERANT que les parties se sont engagées à libéraliser les échanges, sur la base des principes contenus dans l'Accord général sur les tarifs douaniers et le commerce¹, ci-après dénommé "GATT"², tel que modifié par les négociations commerciales de l'Uruguay Round², et compte tenu de la création de l'Organisation mondiale du commerce, ci-après dénommée "OMC" ;

RECONNAISSANT que la Russie n'est plus un pays à commerce d'Etat ; que c'est maintenant un pays avec une économie de transition et que la poursuite de l'évolution vers une économie de marché sera encouragée par la coopération entre les parties selon les formes définies par le présent accord ;

CONSCIENTS de la nécessité d'améliorer les conditions affectant le commerce et les investissements, ainsi que les conditions dans des domaines tels que l'établissement de sociétés, l'emploi, la prestation de services et la circulation des capitaux ;

¹ Nations Unies, *Recueil des Traités*, vol. 55, p. 187.

² *Ibid.*, vol. 1867, 1868 et 1869, n° I-31874.

CONVAINCUS que le présent accord créera entre les parties un climat nouveau pour leurs relations économiques, notamment pour le développement du commerce et des investissements, instruments essentiels de la restructuration économique et de la modernisation technologique ;

DESIREUX d'instaurer une coopération étroite dans le domaine de la protection de l'environnement compte tenu de l'interdépendance existant en cette matière entre les parties ;

SACHANT que les parties ont l'intention de développer leur coopération dans le domaine spatial en vue d'assurer la complémentarité de leurs activités dans ce domaine ;

DESIREUX de promouvoir une coopération culturelle et de développer les échanges d'informations,

SONT CONVENUS DES DISPOSITIONS QUI SUIVENT :

ARTICLE PREMIER

Un partenariat est établi entre la Communauté et ses Etats membres, d'une part, et la Russie, d'autre part. Ses objectifs sont les suivants :

- fournir un cadre approprié au dialogue politique entre les parties afin de permettre le développement de relations étroites entre elles dans ce domaine ;
- développer les échanges, les investissements et les relations économiques harmonieuses entre les parties sur la base des principes de l'économie de marché afin de favoriser un développement durable dans les parties ;
- renforcer les libertés politiques et économiques ;

- soutenir les efforts accomplis par la Russie pour consolider sa démocratie, développer son économie et mener à terme son processus de transition vers une économie de marché ;
- fournir une base pour une coopération dans les domaines économiques, social, financier et culturel, fondée sur les principes des avantages mutuels, de la responsabilité mutuelle et du soutien mutuel ;
- promouvoir les activités d'intérêt commun ;
- fournir un cadre approprié à l'intégration progressive entre la Russie et une zone plus vaste de coopération en Europe ;
- créer les conditions nécessaires à l'instauration future d'une zone de libre-échange entre la Communauté et la Russie, couvrant essentiellement tous les échanges de biens entre elles, ainsi que les conditions nécessaires pour permettre la liberté d'établissement des sociétés et la liberté des échanges transfrontaliers de services et des mouvements de capitaux.

TITRE I

PRINCIPES GENERAUX

ARTICLE 2

Le respect des principes démocratiques et des droits de l'homme consacrés notamment par l'Acte final d'Helsinki et la Charte de Paris pour une nouvelle Europe inspire les politiques intérieures et extérieures des parties et constitue un élément essentiel du partenariat et du présent accord.

ARTICLE 3

Les parties s'engagent à envisager de développer les dispositions des titres pertinents du présent accord, en particulier du titre III et de l'article 53, en fonction des circonstances, en vue d'établir entre elles une zone de libre-échange. Le conseil de coopération peut faire à ce sujet des recommandations aux parties. Le résultat de ce développement n'entrera en vigueur qu'en vertu d'un accord entre les parties, conformément à leurs procédures respectives. Les parties examineront ensemble en 1998 si les circonstances permettent l'ouverture de négociations sur l'instauration d'une zone de libre-échange.

ARTICLE 4

Les parties s'engagent à examiner ensemble, d'un commun accord, les modifications qu'il pourrait être nécessaire d'apporter à toute partie du présent accord compte tenu d'un changement de circonstances, notamment de l'accession de la Russie au GATT/à l'OMC. Le premier examen aura lieu trois ans après l'entrée en vigueur du présent accord ou au moment où la Russie accédera au GATT/à l'OMC, si cet événement est antérieur au précédent.

ARTICLE 5

1. Le traitement de la nation la plus favorisée accordé par la Russie aux termes du présent accord n'est pas applicable pendant une période de transition expirant cinq ans après l'entrée en vigueur du présent accord en ce qui concerne les avantages définis à l'annexe 1 accordés par la Russie à d'autres pays de l'ancienne URSS. Cette période peut être prolongée, si nécessaire, pour certains secteurs par consentement mutuel entre les parties.
2. Dans le cas du traitement de la nation la plus favorisée accordé en vertu du titre III, la période de transition visée au paragraphe 1 expirera trois ans après l'entrée en vigueur du présent accord ou au moment où la Russie accédera au GATT/à l'OMC, si cet événement est antérieur au précédent.

TITRE II

DIALOGUE POLITIQUE

ARTICLE 6

Un dialogue politique régulier est instauré entre les parties, qu'elles entendent développer et renforcer. Il accompagne et consolide le rapprochement de l'Union européenne et de la Russie, appuie les changements politiques et économiques en cours dans ce pays et contribue à créer de nouvelles formes de coopération. Le dialogue politique :

- renforce les liens entre la Russie et l'Union européenne. La convergence économique réalisée grâce au présent accord entraîne une intensification des relations politiques ;
- entraîne une plus grande convergence des positions sur les questions internationales d'intérêt mutuel, augmentant ainsi la sécurité et la stabilité ;
- prévoit que les parties s'efforcent de coopérer sur les questions relatives au respect des principes de la démocratie et des droits de l'homme et à se consulter, si nécessaire, sur les questions relatives à leur mise en oeuvre.

ARTICLE 7

1. Des réunions ont lieu en principe deux fois par an entre le président du Conseil d' l'Union européenne et le président de la Commission des Communautés européennes, d'une part, et le président de la Russie, d'autre part.
2. Au niveau ministériel, le dialogue politique se déroule au sein du conseil de coopération institué par l'article 90 ou, en d'autres occasions, d'un commun accord, avec la Troïka de l'Union européenne.

ARTICLE 8

D'autres procédures et mécanismes de dialogue politique sont mis en place par les parties, notamment sous les formes suivantes :

- réunions bisannuelles de hauts fonctionnaires représentant la Troïka de l'Union européenne, d'une part, et la Russie, d'autre part ;
- pleine utilisation des voies diplomatiques entre les parties ;
- tous autres moyens, notamment d'éventuelles réunions d'experts, qui pourraient contribuer à consolider et développer ce dialogue.

ARTICLE 9

Le dialogue politique au niveau parlementaire se déroule au sein de la commission parlementaire de coopération instituée par l'article 95 du présent accord.

TITRE III**COMMERCE DE MARCHANDISES****ARTICLE 10**

1. Les parties s'accordent mutuellement le traitement général de la nation la plus favorisée défini à l'article 1 paragraphe 1 du GATT.
2. Les dispositions du paragraphe 1 ne s'appliquent pas :
 - a) aux avantages accordés aux pays limitrophes en vue de faciliter le trafic frontalier ;

- b) aux avantages octroyés dans le but de créer une union douanière ou une zone de libre-échange ou découlant de la création d'une telle union ou zone ; les termes "union douanière" et "zone de libre-échange" ont la même signification que ceux définis à l'article XXIV paragraphe 8 du GATT ou créés selon la procédure visée au paragraphe 10 du même article du GATT ;
- c) aux avantages octroyés à certains pays conformément au GATT et à d'autres accords internationaux en faveur des pays en développement.

ARTICLE 11

1. Les produits du territoire d'une partie importés dans le territoire de l'autre partie ne sont soumis, directement ou indirectement, à aucune taxe ou autre imposition intérieure supérieure à celles qui s'appliquent, directement ou indirectement, à des produits nationaux similaires.

2. En outre, ces produits bénéficient d'un traitement non moins favorable que celui accordé à des produits similaires d'origine nationale en vertu de lois, règlements et prescriptions concernant leur vente, leur offre à la vente, leur achat, leur transport, leur distribution ou leur utilisation à l'intérieur du pays. Le présent paragraphe n'exclut pas l'application de droits de transport intérieurs différenciés basés exclusivement sur l'exploitation économique du moyen de transport et non sur la nationalité du produit.

3. L'article III paragraphes 8, 9 et 10 du GATT est applicable mutatis mutandis entre les parties.

ARTICLE 12

1. Les parties conviennent que le principe de la liberté de transit est une condition essentielle pour réaliser les objectifs du présent accord.

A cet égard, chaque partie garantit la liberté de transit à travers son territoire des marchandises originaires du territoire douanier ou destinées au territoire douanier de l'autre partie.

2. Les règles visées à l'article V paragraphes 2, 3, 4, et 5 du GATT sont applicables entre les parties.

ARTICLE 13

Les articles suivants du GATT sont applicables mutatis mutandis entre les parties :

- 1) article VII paragraphes 1, 2, 3 et 4 points a), b) et d) et paragraphe 5,
- 2) article VIII,
- 3) article IX,
- 4) article X.

ARTICLE 14

Sans préjudice des droits et obligations découlant des conventions internationales sur l'admission temporaire de marchandises qui lient les deux parties, chaque partie octroie à l'autre l'exemption des droits et taxes d'importation sur les marchandises admises temporairement, dans les cas et conformément aux procédures prévus par toute autre convention internationale en la matière qui la lie, conformément à sa législation. Cette législation est appliquée sur la base de la notion la plus favorisée et est donc soumise aux exceptions énumérées à l'article 10 paragraphe 2 du présent accord. Il sera tenu compte des conditions dans lesquelles les obligations découlant d'une telle convention ont été acceptées par la partie en question.

ARTICLE 15

1. Les marchandises originaires de Russie sont importées dans la Communauté en dehors de toute restriction quantitative, sans préjudice des articles 17, 20 et 21 du présent accord et des articles 77, 81, 244, 249 et 280 de l'acte d'adhésion de l'Espagne et du Portugal à la Communauté¹.

2. Les marchandises originaires de la Communauté sont importées en Russie en dehors de toute restriction quantitative, sans préjudice des dispositions des articles 17, 20 et 21 et de l'annexe 2 du présent accord.

ARTICLE 16

En attendant l'accession de la Russie au GATT/à l'OMC, les parties se consultent au sein du comité de coopération en ce qui concerne leurs politiques relatives aux tarifs douaniers à l'importation, notamment les modifications des protections tarifaires. En particulier, de telles consultations sont proposées avant toute augmentation des protections tarifaires.

ARTICLE 17

1. Lorsque les importations d'un produit donné dans le territoire de l'une des parties augmentent dans des proportions et des conditions telles qu'elles causent ou risquent de causer un préjudice grave aux producteurs nationaux de produits similaires ou directement concurrentiels, la Communauté ou la Russie, selon le cas, peuvent prendre des mesures appropriées selon les procédures et dans les conditions suivantes.

2. Avant de prendre des mesures ou, dès que possible après l'adoption des mesures dans les cas auxquels s'applique le paragraphe 4, la Communauté ou la Russie, selon le cas, fournit au comité de coopération toutes les informations utiles en vue de rechercher une solution acceptable pour les deux parties. Les parties engagent rapidement des consultations au sein du comité de coopération.

¹ Nations Unies, *Recueil des Traités*, vol. 1448, p. 2 et vol. 1449, p. 2.

3. Si, à la suite des consultations, les parties ne parviennent pas à s'accorder, dans les trente jours suivant la notification au comité de coopération, sur les actions à entreprendre pour remédier à la situation, la partie ayant demandé les consultations est libre de limiter les importations des produits concernés ou d'adopter toute autre mesure appropriée dans la mesure et pendant la durée nécessaires pour empêcher ou réparer le préjudice.

4. Dans des circonstances critiques, lorsqu'un retard risque d'entraîner des dommages difficilement réparables, les parties peuvent prendre des mesures avant les consultations, à condition que des consultations soient proposées immédiatement après l'adoption de ces mesures.

5. Dans le choix des mesures à prendre au titre du présent article, les parties accordent la priorité à celles qui perturbent le moins la réalisation des objectifs du présent accord.

6. Lorsqu'une partie prend une mesure de sauvegarde conformément aux dispositions du présent article, l'autre partie est libre de déroger à ses obligations découlant du présent titre envers la première pour des échanges substantiellement équivalents.

Une telle action ne sera pas entreprise avant que l'autre partie n'ait engagé des consultations ou si un accord est atteint dans les quarante-cinq jours suivant la date à laquelle ces consultations ont été proposées.

7. Le droit de déroger aux obligations visé au paragraphe 6 ne sera pas exercé pendant les trois premières années au cours desquelles une mesure de sauvegarde est effective, pour autant que la mesure de sauvegarde ait été prise à la suite d'une augmentation absolue des importations, pendant la période maximale de quatre ans, et conformément aux dispositions du présent accord.

ARTICLE 18

Aucune disposition du présent titre, et en particulier de l'article 17, ne préjuge ou n'affecte en aucune façon l'adoption, par l'une des parties, de mesures antidumping ou compensatoires conformément à l'article VI du GATT, à l'Accord sur la mise en oeuvre de l'article VI du GATT¹, à l'Accord sur l'interprétation et l'application des articles VI, XVI et XXIII du GATT² ou à sa législation interne correspondante.

En ce qui concerne les enquêtes antidumping ou en matière de subventions, chaque partie convient d'examiner les observations de l'autre partie et d'informer les parties concernées des faits et considérations essentiels sur la base desquels une décision finale doit être prise. Avant d'imposer des droits antidumping et compensateurs définitifs, les parties mettent tout en oeuvre pour apporter une solution constructive au problème.

ARTICLE 19

L'accord ne fait pas obstacle aux interdictions ou restrictions d'importation, d'exportation ou de transit, justifiées par des raisons de moralité publique, d'ordre public, de sécurité publique, de protection de la santé et de la vie des personnes et des animaux ou de préservation des végétaux, de protection des ressources naturelles, de protection des trésors nationaux ayant une valeur artistique, historique ou archéologique ou de protection de la propriété intellectuelle, industrielle et commerciale, ni aux réglementations relatives à l'or et à l'argent. Toutefois, ces interdictions ou restrictions ne doivent constituer ni un moyen de discrimination arbitraire, ni une restriction déguisée dans le commerce entre les parties.

¹ Nations Unies, *Recueil des Traités*, vol. 651, p. 321 et vol. 1186, p. 3.

² *Ibid.*, vol. 1186, p. 204.

ARTICLE 20

Le présent titre n'affecte pas les dispositions de l'accord entre la Communauté économique européenne et la Fédération de Russie sur le commerce des produits textiles paraphé le 12 juin 1993 et appliqué avec effet rétroactif depuis le 1er janvier 1993. En outre, l'article 15 du présent accord n'est pas applicable au commerce des produits textiles relevant des chapitres 50 à 63 de la nomenclature combinée.

ARTICLE 21

1. Les échanges de produits couverts par le traité instituant la Communauté européenne du charbon et de l'acier sont régis par :

- les dispositions du présent titre, à l'exception de l'article 15 ; et
- lors de son entrée en vigueur, les dispositions de l'accord sur les arrangements quantitatifs concernant les échanges de produits "acier CECA".

2. L'institution d'un groupe de contact pour le charbon et l'acier est régie par le protocole 1 annexé au présent accord.

ARTICLE 22**Commerce de matières nucléaires**

1. Le commerce de matières nucléaires est couvert par :

- les dispositions du présent accord, à l'exception des articles 15 et 17 paragraphes 1 à 5 et paragraphe 7 ;
- les dispositions des articles 6, 7, 14 et 15 paragraphes 1, 2, 3 première phrase et paragraphes 4 et 5 de l'accord de 1989 ;

- l'échange de lettres joint.
2. Nonobstant les dispositions du paragraphe 1 du présent article, les parties conviennent de prendre toutes les mesures nécessaires pour arriver à un accord couvrant le commerce de matières nucléaires d'ici le 1er janvier 1997.
3. En attendant la conclusion d'un tel accord, les dispositions du présent article restent applicables.
4. Des mesures seront prises en vue de conclure un accord relatif aux sauvegardes nucléaires, à la protection physique et à la coopération administrative dans le domaine des transferts de matières nucléaires. En attendant l'entrée en vigueur d'un tel accord, les législations respectives et les obligations internationales de non-prolifération des parties sont applicables en ce qui concerne le transfert de matières nucléaires.
5. Aux fins de l'application du régime prévu au paragraphe 1 :
- la référence au "présent accord" faite à l'article 6 et à l'article 15 paragraphe 5 de l'accord de 1989 se rapporte au régime établi par le paragraphe 1 du présent article ;
 - la référence au "présent article" faite à l'article 17 paragraphe 6 du présent accord se rapporte à l'article 15 de l'accord de 1989 ;
 - la référence aux "parties contractantes" faite aux articles 6, 7, 14 et 15 de l'accord de 1989 se rapporte aux parties au présent accord ;
 - la référence à la "commission mixte" faite à l'article 15 de l'accord de 1989 signifie le comité de coopération institué en vertu de l'article 92 du présent accord.

TITRE IV**DISPOSITIONS RELATIVES AUX ACTIVITES DES ENTREPRISES
ET AUX INVESTISSEMENTS****CHAPITRE I****Conditions relatives à l'emploi****ARTICLE 23**

1. Sous réserve des lois, conditions et procédures applicables dans chaque Etat membre, la Communauté et ses Etats membres assurent que les ressortissants russes légalement employés sur le territoire d'un Etat membre ne font l'objet d'aucune discrimination fondée sur la nationalité, en ce qui concerne les conditions de travail, de rémunération ou de licenciement, par rapport aux ressortissants dudit Etat membre.

2. Sous réserve des conditions et modalités applicables en Russie, la Russie accorde le traitement mentionné au paragraphe 1 aux ressortissants d'un Etat membre légalement employés sur son territoire.

ARTICLE 24**Coordination de la sécurité sociale**

Les parties concluent des accords afin :

- 1) d'adopter, sous réserve des conditions et modalités applicables dans chaque Etat membre, les dispositions nécessaires à la coordination des systèmes de sécurité sociale pour les travailleurs ressortissants de Russie légalement employés sur le territoire d'un Etat membre et, le cas échéant, pour les membres de leur famille qui y résident légalement. Ces dispositions assurent notamment que :

- toutes les périodes d'assurance, d'emploi ou de résidence accomplies par lesdits travailleurs dans les différents Etats membres sont totalisées aux fins de l'acquisition de droits à pension de vieillesse, d'invalidité et de survie et du bénéfice des soins médicaux pour eux-mêmes et, le cas échéant, les membres de leur famille ;
 - toutes les pensions de vieillesse, de survie, d'accident du travail ou de maladie professionnelle, ou d'invalidité qui en résulte, à l'exception des prestations spéciales non contributives, bénéficient du libre transfert au taux applicable en vertu de la législation du ou des Etats membres débiteurs ;
 - les travailleurs en question perçoivent, le cas échéant, des allocations familiales pour les membres de leur famille visés ci-dessus ;
- 2) d'adopter, sous réserve des conditions et modalités applicables en Russie, les dispositions nécessaires pour accorder aux travailleurs ressortissants d'un Etat membre légalement employés en Russie, ainsi qu'aux membres de leur famille qui y résident légalement, un traitement similaire à celui visé au paragraphe 1 deuxième et troisième tirets.

ARTICLE 25

Les mesures à adopter conformément à l'article 24 du présent accord ne doivent affecter en rien les droits ou obligations résultant d'accords bilatéraux liant les Etats membres et la Russie, lorsque ces accords offrent un traitement plus favorable aux ressortissants des Etats membres ou aux ressortissants russes.

ARTICLE 26

Le conseil de coopération examine les améliorations pouvant être apportées aux conditions de travail des hommes d'affaires conformément aux engagements internationaux des parties, notamment ceux définis dans le document de la Conférence CSCE de Bonn.

ARTICLE 27

Le conseil de coopération fait des recommandations pour la mise en oeuvre des articles 23 et 26 du présent accord.

CHAPITRE II**Conditions relatives à l'établissement et
à l'activité des sociétés****ARTICLE 28**

1. La Communauté et ses Etats membres, d'une part, et la Russie, d'autre part, se réservent mutuellement un traitement non moins favorable que celui accordé à des pays tiers en ce qui concerne l'établissement de sociétés sur leur territoire, et ce conformément aux législations et réglementations applicables dans chaque partie.
2. Sans préjudice des réserves énumérées à l'annexe 3, la Communauté et ses Etats membres réservent aux activités des filiales communautaires de sociétés russes un traitement non moins favorable que celui accordé à d'autres sociétés communautaires ou à des sociétés communautaires qui sont les filiales d'une société d'un pays tiers, si celui-ci est meilleur, et ce conformément à leurs législations et réglementations.
3. Sans préjudice des réserves énumérées à l'annexe 4, la Russie réserve aux activités des filiales russes de sociétés communautaires un traitement non moins favorable que celui accordé à d'autres sociétés russes ou à des sociétés russes qui sont les filiales d'une société d'un pays tiers, si celui-ci est meilleur, et ce conformément à ses législations et réglementations.
4. La Communauté et ses Etats membres, d'une part, et la Russie, d'autre part, réservent aux activités des succursales de sociétés russes et communautaires respectivement un traitement non moins favorable que celui accordé aux succursales de sociétés d'un pays tiers, et ce conformément à leurs législations et réglementations.

5. Les dispositions des paragraphes 2 et 3 ne peuvent être utilisées pour contourner la législation et les réglementations d'une partie applicables à l'accès à certains secteurs ou activités spécifiques par des filiales de sociétés de l'autre partie établies sur le territoire de la première.

Le traitement visé aux paragraphes 2 et 3 sera acquis aux sociétés établies dans la Communauté et en Russie respectivement au moment de la date d'entrée en vigueur du présent accord et aux sociétés qui s'y établiront après cette date.

ARTICLE 29

Les dispositions de l'article 28 du présent accord ainsi que les dispositions suivantes s'appliquent en ce qui concerne les services bancaires et d'assurance mentionnés à l'annexe 6.

1. En ce qui concerne les services bancaires mentionnés à l'annexe 6 partie B, la nature du traitement accordé par la Russie aux termes de l'article 28 paragraphe 1, en ce qui concerne l'établissement par la mise en place de filiales uniquement, et aux termes de l'article 28 paragraphe 3 est définie à l'annexe 7 partie A.

En ce qui concerne les services d'assurance mentionnés à l'annexe 6 partie A points 1 et 2, la nature du traitement accordé par la Russie aux termes de l'article 28 paragraphe 1 est définie à l'annexe 7 partie B.

2. Nonobstant toute autre disposition du présent accord, il n'est pas fait obstacle à l'adoption par une partie de mesures prudentielles, notamment pour garantir la protection des investisseurs, des déposants, des preneurs d'assurance ou des "fiduciants", ou pour préserver l'intégrité et la stabilité du système financier. Ces mesures ne peuvent être utilisées pour échapper aux obligations incombant à cette partie en vertu du présent accord.

Aucune disposition du présent accord ne doit être interprétée de manière à exiger d'une partie qu'elle divulgue des informations relatives aux affaires et aux comptes des clients individuels ou toute information confidentielle ou protégée en possession des institutions publiques.

3. Sans préjudice des dispositions de la partie A point 1 sous d) et e) de l'annexe 7, la Communauté et ses Etats membres, d'une part, et la Russie, d'autre part, n'adoptent aucun nouveau règlement ou aucune nouvelle mesure qui introduirait ou aggraverait une discrimination par rapport à la situation existant à la date de la signature de l'accord en ce qui concerne les conditions d'établissement des sociétés de l'autre partie sur leurs territoires respectifs par rapport à leurs propres sociétés.

Les parties conviennent que les termes "aggraverait une discrimination" englobent l'aggravation des conditions discriminatoires ou leur prolongation ou réintroduction après leur période actuelle d'application.

4. Aux fins du présent accord, pour ce qui est des activités bancaires, une société est considérée comme filiale russe d'une société communautaire lorsque plus de cinquante pour cent (50%) de son capital social sont détenus par la société communautaire.

ARTICLE 30

Aux fins du présent accord, on entend par:

a) "établissement", le droit pour les sociétés communautaires ou russes définies au point h) du présent article d'accéder à des activités économiques par la création de filiales et de succursales en Russie ou dans la Communauté respectivement ;

en ce qui concerne les services financiers mentionnés à l'article 29, on entend par "établissement", le droit pour les sociétés communautaires ou russes définies au point h) du présent article d'accéder à des activités économiques par la création de filiales et de succursales en Russie ou dans la Communauté respectivement après avoir reçu l'agrément des autorités compétentes conformément à la législation et aux réglementations applicables dans chaque partie ;

b) "filiale" d'une société, une société effectivement contrôlée par la première ;

c) "activités économiques", les activités à caractère industriel, commercial et professionnel, y compris les services financiers ;

- d) "succursale" d'une société, un établissement n'ayant pas la personnalité juridique qui a l'apparence de la permanence, telle que l'extension d'une société mère, qui dispose d'une gestion propre et qui est équipé matériellement pour négocier des affaires avec des tiers de telle sorte que ces derniers, quoique sachant qu'il y aura, si nécessaire, un lien juridique avec la société mère, dont le siège est à l'étranger, ne sont pas tenus de traiter directement avec celle-ci, mais peuvent effectuer des transactions commerciales au lieu de l'établissement constituant l'extension ;
- e) "filiale communautaire" ou "filiale russe" respectivement, "société communautaire" ou "société russe" respectivement, comme définie ci-après, qui est également une filiale d'une "société russe" ou d'une "société communautaire" respectivement ;
- f) "ressortissant d'un Etat membre ou de Russie", une personne physique ressortissant d'un des Etats membres ou de Russie respectivement, conformément à leurs législations respectives ;
- g) "exploitation", le fait d'exercer des activités économiques ;

en ce qui concerne les services financiers mentionnés à l'article 29, on entend par "exploitation", le fait d'exercer toutes les activités économiques autorisées par l'agrément accordé à la société par les autorités compétentes conformément aux lois et réglementations applicables dans chaque partie ;

- h) "société communautaire" ou "société russe" respectivement, une société constituée en conformité avec la législation d'un Etat membre ou de la Russie et ayant son siège statutaire, son administration centrale ou son principal établissement sur le territoire de la Communauté ou de la Russie. Toutefois, si la société, constituée en conformité avec la législation d'un Etat membre ou de la Russie, n'a que son siège statutaire sur le territoire de la Communauté ou de la Russie, elle sera considérée comme une société communautaire ou une société russe si son activité a un lien effectif et continu avec l'économie d'un des Etats membres ou de la Russie respectivement ;

en ce qui concerne le transport maritime international, bénéficient également des dispositions du présent chapitre et du chapitre III, les compagnies de navigation établies hors de la Communauté ou de la Russie et contrôlées par des ressortissants d'un Etat membre ou de la Russie respectivement, si leurs navires sont immatriculés dans cet Etat membre ou en Russie conformément à leurs législations respectives ;

aux fins de la présente disposition, on considère que le transport maritime international englobe les opérations de transport intermodal comportant une partie maritime, sans préjudice des restrictions de nationalité applicables concernant le transport de marchandises et de passagers par d'autres modes de transport ;

- i) aux fins de l'article 29 et de l'annexe 7, en ce qui concerne les services bancaires mentionnés à l'annexe 6 partie B, on entend par "filiale communautaire" ou "filiale russe" telles qu'elles sont définies au point e), toute filiale qui est une banque conformément à la législation d'un Etat membre ou de la Russie respectivement ;

aux fins de l'article 29 et de l'annexe 7, en ce qui concerne les services bancaires mentionnés à l'annexe 6 partie B, on entend par "société communautaire" ou "société russe" telles qu'elles sont définies au point h), toute société qui est une banque conformément à la législation d'un Etat membre ou de la Russie respectivement.

ARTICLE 31

Nonobstant les dispositions de l'article 100, les dispositions du présent titre ne préjugent pas de l'application, par chaque partie, de toute mesure nécessaire pour éviter que les mesures qu'elle a prises concernant l'accès des pays tiers à son marché soient contournées par le biais des dispositions du présent accord.

ARTICLE 32

1. Nonobstant les dispositions du chapitre I du présent titre, une société communautaire et une société russe établies sur le territoire de la Russie ou de la Communauté respectivement a le droit d'employer ou de faire employer par l'une de ses filiales, succursales ou entreprises communes, en conformité avec la législation en vigueur dans le pays d'établissement hôte, sur le territoire de la Russie et de la Communauté respectivement, des ressortissants des Etats membres et de la Russie respectivement, à condition que ces personnes fassent partie du personnel de base défini au paragraphe 2 du présent article et qu'elles soient exclusivement employées par ces sociétés, filiales, succursales ou entreprises communes. Les permis de séjour et de travail de ces personnes ne couvrent que la période d'emploi.

2. Le personnel de base des sociétés mentionnées ci-dessus, ci-après dénommées "firmes", est composé de "personnes transférées entre entreprises" telles qu'elles sont définies à la lettre c) et appartenant aux catégories suivantes, pour autant que la firme soit une personne morale et que les personnes concernées aient été employées par cette firme ou aient été des partenaires de cette firme (autres que des actionnaires majoritaires) pendant au moins un an avant ce transfert :

- a) des cadres supérieurs d'une firme, dont la fonction principale consiste à gérer une entreprise (filiale, succursale ou entreprise commune), sous le contrôle ou la direction générale du conseil d'administration ou des actionnaires ou de leurs équivalents, leur fonction consistant à :
- diriger l'entreprise, un service ou une section de l'entreprise ;
 - surveiller et contrôler le travail des autres membres du personnel exerçant des fonctions de surveillance, ou des fonctions techniques ou administratives ;
 - engager ou licencier ou recommander d'engager ou de licencier du personnel ou prendre d'autres mesures concernant le personnel, en vertu des pouvoirs qui leur sont conférés ;

- b) des personnes employées par une firme, qui possèdent des compétences exceptionnelles essentielles concernant le service, les équipements de recherche, les technologies ou la gestion de l'entreprise. L'évaluation de ces connaissances peut refléter, outre les connaissances spécifiques à l'entreprise, un niveau élevé de compétences pour un type de travail ou d'activité nécessitant des connaissances techniques spécifiques, notamment l'appartenance à une profession agréée ;
- c) une "personne transférée entre entreprises" est définie comme une personne physique travaillant pour une firme sur le territoire d'une partie, et transférée temporairement dans le contexte de l'exercice d'activités économiques sur le territoire de l'autre partie ; la firme concernée doit avoir son principal établissement sur le territoire d'une partie et le transfert doit s'effectuer vers une entreprise de cette firme exerçant réellement des activités économiques similaires sur le territoire de l'autre partie.

ARTICLE 33

Les parties reconnaissent l'importance de l'octroi mutuel du traitement national en ce qui concerne l'établissement et, lorsque ce n'est pas déjà prévu dans le présent accord, l'exploitation de leurs sociétés respectives sur leur territoire et elles conviennent d'envisager la possibilité de prendre des mesures dans ce but, selon des formules mutuellement avantageuses et à la lumière des recommandations du conseil de coopération.

ARTICLE 34

1. Les parties s'efforcent dans toute la mesure du possible d'éviter d'adopter des mesures ou des actions rendant les conditions d'établissement et d'exploitation de leurs sociétés plus restrictives qu'elles ne l'étaient le jour précédant la date de la signature du présent accord.
2. Au plus tard à la fin de la troisième année suivant la signature de l'accord, et ensuite tous les ans, les parties examinent au sein du conseil de coopération :
 - les mesures introduites par chaque partie depuis la signature de l'accord qui affectent l'établissement ou l'exploitation des sociétés d'une des parties sur le territoire de l'autre et qui font l'objet d'engagements découlant de l'article 28 ; et

- s'il est possible pour les parties d'assumer :
 - = l'obligation de ne pas adopter de mesures ou d'actions qui risquent de rendre les conditions d'établissement et d'exploitation de leurs sociétés respectives plus restrictives qu'elles ne l'étaient au moment de cet examen, lorsque ce n'est pas déjà prévu dans le présent accord, ou
 - = d'autres obligations affectant leur liberté d'action

dans des domaines convenus entre les parties compte tenu des engagements découlant de l'article 28.

Si, après un tel examen, une partie estime que les mesures introduites par l'autre partie depuis la signature de l'accord entraînent pour les sociétés de la première partie des conditions d'établissement ou d'exploitation sur le territoire de l'autre partie nettement plus restrictives qu'elles ne l'étaient à la date de la signature de l'accord, cette partie peut demander à l'autre d'engager des consultations. Dans ce cas, les dispositions de la partie A de l'annexe 8 sont applicables.

3. Aux fins du présent article, des mesures sont prises comme indiqué à la partie B de l'annexe 8.

4. Les dispositions du présent article ne préjugent pas de celles de l'article 51. Les situations couvertes par l'article 51 sont régies uniquement par les dispositions de cet article à l'exclusion de toute autre disposition.

ARTICLE 35

1. Les dispositions de l'article 28 ne s'appliquent pas aux transports aériens, fluviaux et maritimes.

2. Toutefois, en ce qui concerne les activités des agences maritimes fournissant des services de transport maritime international, y compris les opérations de transport intermodal comportant une partie maritime, comme indiqué ci-après, chaque partie autorisera les sociétés de l'autre partie à avoir une présence commerciale sur son territoire sous la forme de filiales ou de succursales, dans des conditions d'établissement et

d'exploitation non moins favorables que celles accordées à ses propres sociétés ou aux filiales ou succursales de sociétés d'un pays tiers, si celles-ci sont meilleures, et ce conformément à la législation et aux réglementations applicables dans chaque partie.

3. Ces activités comprennent :

- a) la commercialisation et la vente de services de transport maritime et de services annexes par contact direct avec les clients, de l'offre de prix à l'établissement de la facture ;
- b) l'achat et la revente de tout service de transport ou service connexe, y compris les services de transport intérieurs par quelque mode que ce soit, nécessaires pour la fourniture d'un service intermodal ;
- c) la préparation des documents de transport, des documents douaniers ou de tout autre document relatif à l'origine et à la nature des marchandises transportées ;
- d) la fourniture d'informations commerciales par tous moyens, y compris les systèmes informatisés et les échanges de données électroniques (sous réserve de restrictions non discriminatoires concernant les télécommunications) ;
- e) l'établissement d'un arrangement commercial avec d'autres agences maritimes ;
- f) l'organisation, pour le compte des compagnies, entre autres de l'escale du navire ou la prise en charge des cargaisons lorsque nécessaire.

CHAPITRE III

Prestation transfrontalière de services

ARTICLE 36

Pour les secteurs énumérés à l'annexe 5 du présent accord, les parties se réservent mutuellement un traitement non moins favorable que celui accordé à un pays tiers, en ce qui concerne les conditions affectant la prestation transfrontalière de services, par des sociétés communautaires ou russes sur le territoire de la Russie ou de la Communauté respectivement, conformément à la législation et aux réglementations applicables dans chaque partie.

ARTICLE 37

Sous réserve des dispositions de l'article 48 du présent accord, les parties autorisent pour les secteurs énumérés à l'annexe 5 au présent accord le mouvement temporaire de personnes physique représentant une société communautaire ou une société russe et demandant un droit d'entrée provisoire en vue de négocier la vente de services transfrontaliers ou de conclure des accords pour vendre des services transfrontaliers pour cette dernière, et qui n'effectuent pas de vente directe au grand public ou ne fournissent pas eux-mêmes de services.

ARTICLE 38

1. En ce qui concerne les secteurs énumérés à l'annexe 5, chaque partie peut réglementer les conditions de la prestation transfrontalière de services sur son territoire. Dans la mesure où ces réglementations sont d'application générale, elles seront administrées de manière raisonnable, objective et impartiale.

2. Le paragraphe 1 ne préjuge pas des dispositions des articles 36 et 50.

3. Au plus tard à la fin de la troisième année suivant la signature de l'accord, les parties examinent au sein du conseil de coopération :

- les mesures introduites par les parties depuis la signature de l'accord qui affectent la prestation transfrontalière de services couverte par l'article 36 ; et
- s'il est possible pour les parties d'assumer :
 - = l'obligation de ne pas adopter de mesures ou d'actions qui risquent de rendre les conditions de la prestation transfrontalière de services couverte par l'article 36 plus restrictives qu'elles ne l'étaient au moment de cet examen, ou
 - = d'autres obligations affectant leur liberté d'action

dans des domaines convenus entre les parties compte tenu des engagements découlant de l'article 36.

Si après un tel examen, une partie estime que les mesures introduites par l'autre partie depuis la signature de l'accord entraînent pour la prestation transfrontalière de services couverte par l'article 36 des conditions nettement plus restrictives qu'elles ne l'étaient à la date de la signature de l'accord, cette partie peut demander à l'autre d'engager des consultations. Dans ce cas, les dispositions de la partie A de l'annexe 8 sont applicables.

4. Aux fins du présent article, des mesures sont prises comme indiqué à la partie B de l'annexe 8.

5. Les dispositions du présent article ne préjugent pas de celles de l'article 51. Les situations couvertes par l'article 51 sont régies uniquement par les dispositions de cet article à l'exclusion de toute autre disposition.

ARTICLE 39

1. En ce qui concerne le transport maritime, les parties s'engagent à appliquer de manière effective le principe du libre accès au marché et au trafic sur une base commerciale.

a) La disposition ci-dessus ne préjuge pas des droits et obligations relevant de la Convention des Nations Unies sur un code de conduite des conférences maritimes¹ applicable aux parties au présent accord. Les compagnies hors conférence sont libres d'agir en concurrence avec une conférence, pour autant qu'elles adhèrent au principe de la concurrence loyale sur une base commerciale.

b) Les parties affirment leur adhésion au principe de la libre concurrence pour le commerce des vracs, secs et liquides.

2. En appliquant les principes du paragraphe 1, les parties :

a) s'abstiennent d'appliquer, dans leurs échanges mutuels, à partir de l'entrée en vigueur du présent accord, les clauses de partage des cargaisons d'accords bilatéraux entre un Etat membre et l'ancienne URSS ;

b) s'abstiennent d'introduire, dans les accords bilatéraux futurs avec les pays tiers, des accords de partage des cargaisons concernant les vracs, secs et liquides, et le trafic de ligne. Toutefois, cela n'exclut pas qu'il soit possible de conclure, à titre exceptionnel, de tels accords concernant le trafic de ligne dans les cas où des compagnies de navigation de l'une ou l'autre partie au présent accord n'auraient pas, autrement, la possibilité de participer au trafic à destination et en provenance du pays tiers concerné ;

c) abolissent, dès l'entrée en vigueur du présent accord, toutes les mesures unilatérales et les entraves administratives, techniques et autres qui pourraient constituer une restriction déguisée ou avoir des effets discriminatoires sur la libre prestation de services dans le transport maritime international.

¹ Nations Unies, *Recueil des Traités*, vol. 1334, p. 15.

Chaque partie octroie, entre autres, aux navires utilisés pour le transport de marchandises, de passagers, ou les deux, et battant pavillon de l'autre partie, un traitement non moins favorable que celui accordé à ses propres navires en ce qui concerne l'accès aux ports ouverts aux navires étrangers, l'utilisation des infrastructures et des services maritimes auxiliaires de ces ports, ainsi qu'en ce qui concerne les droits et taxes, les services douaniers, la désignation de postes de mouillage et les installations de chargement et de déchargement.

3. Les parties conviennent qu'après l'entrée en vigueur du présent accord et au plus tard le 31 décembre 1996, elles mèneront des négociations relatives à l'ouverture progressive des eaux intérieures de chaque partie aux ressortissants et aux compagnies maritimes de l'autre partie, dans le cadre de la libre prestation de services fluvio-maritimes internationaux.

ARTICLE 40

Afin d'établir entre les parties des conditions favorables pour le transport par rail, il est convenu que les deux parties favorisent, dans le cadre du présent accord et par des mécanismes bilatéraux et multilatéraux appropriés :

- la facilitation des procédures douanières et autres procédures de dédouanement pour les marchandises et le matériel roulant ;
- la coopération pour la création de matériel roulant adapté répondant aux besoins du trafic international ;
- le rapprochement des réglementations et procédures régissant les transports internationaux ;
- la sauvegarde et le développement du trafic international de passagers entre les Etats membres et la Russie.

ARTICLE 41

La coopération assure des conditions équitables, équilibrées et compétitives pour un marché de lancements et de transports spatiaux reposant sur des facteurs économiques sains. En particulier, des mesures seront prises pour encourager la négociation et la mise en oeuvre de règles multilatérales concernant le commerce international en matière de services de lancements et de transports spatiaux.

Au cours de la période de transition allant jusqu'à l'an 2000, les conditions relatives à la prestation de services de lancements spatiaux sont convenues.

ARTICLE 42

Les parties s'efforcent de se fournir mutuellement toute l'assistance possible en ce qui concerne les mesures favorisant les échanges transfrontaliers de communications par satellite mobile sur leurs territoires respectifs, conformément à leurs législations, pratiques et conditions respectives. En 1996, les parties se réuniront pour envisager les possibilités de s'accorder mutuellement le traitement de la nation la plus favorisée en ce qui concerne les services par satellite mobile.

ARTICLE 43

Afin d'assurer un développement coordonné des transports entre les parties, adapté à leurs besoins commerciaux, les parties peuvent, après l'entrée en vigueur du présent accord, conclure des accords spécifiques relatifs aux conditions d'accès réciproque au marché et à la prestation de services de transport, dans la mesure où ces conditions ne sont pas déjà couvertes par le présent accord. Ces accords peuvent être applicables à un seul ou à plusieurs modes de transport.

CHAPITRE IV

Dispositions générales

ARTICLE 44

Aux fins des chapitres II et III et du titre V, il n'est pas tenu compte du traitement accordé par la Communauté, ses Etats membres ou la Russie en vertu d'engagements contractés dans le cadre d'accords d'intégration économique.

ARTICLE 45

Les sociétés contrôlées et détenues conjointement par des sociétés communautaires et des sociétés russes bénéficient également des dispositions des chapitres II et III du présent titre et de celles du titre V.

ARTICLE 46

1. Les dispositions du présent titre s'appliquent sous réserve des limitations justifiées par des raisons d'ordre public, de sécurité publique ou de santé publique.
2. Elles ne s'appliquent pas aux activités qui, sur le territoire de l'une ou de l'autre partie, sont liées, même occasionnellement, à l'exercice de la puissance publique.

ARTICLE 47

Le conseil de coopération peut faire des recommandations relatives à la poursuite de la libéralisation du commerce des services, compte tenu du développement des secteurs des services dans les parties et des autres engagements internationaux pris par les parties, notamment à la lumière des résultats finals des négociations de l'Accord général sur le commerce des services¹, ci-après dénommé "GATS".

¹ Voir « Accord de Marrakech instituant l'Organisation mondiale du commerce », dans le *Recueil des Traités* des Nations Unies, vols. 1867, 1868 et 1869, p. 3.

ARTICLE 48

Aux fins du présent titre, aucune disposition du présent accord ne fait obstacle à l'application, par les parties, de leurs lois et réglementations concernant l'admission et le séjour, l'emploi, les conditions de travail, l'établissement de personnes physiques et la prestation de services, à condition que n'en soient pas réduits à néant ou compromis les avantages que retire l'une des parties d'une disposition spécifique du présent accord. La présente disposition ne préjuge pas de l'application de l'article 46.

ARTICLE 49

1. Le traitement de la nation la plus favorisée accordé conformément aux dispositions du présent titre ou du titre V ne s'applique pas aux avantages fiscaux que les parties accordent ou accorderont à l'avenir sur la base d'accords visant à éviter la double imposition ou d'autres arrangements fiscaux.

2. Aucune disposition du présent titre ou du titre V n'est interprétée de manière à empêcher l'adoption ou l'application par les parties d'une mesure visant à éviter l'évasion ou la fraude fiscale conformément aux dispositions fiscales des accords visant à éviter la double imposition, d'autres arrangements fiscaux ou de la législation fiscale nationale.

3. Aucune disposition du présent titre ou du titre V n'est interprétée de manière à empêcher les Etats membres ou la Russie d'établir une distinction, dans l'application des dispositions pertinentes de leur législation fiscale, entre les contribuables qui ne se trouvent pas dans des situations identiques, en particulier en ce qui concerne leur lieu de résidence.

ARTICLE 50

Sans préjudice des articles 32 et 37, aucune disposition des chapitres II, III et IV n'est interprétée comme donnant droit à :

- des ressortissants des Etats membres ou de la Russie d'entrer ou de rester sur le territoire de la Russie ou de la Communauté respectivement, en quelque qualité que ce soit, et notamment en tant qu'actionnaires ou partenaires d'une société ou gestionnaires ou employés de cette société ou fournisseurs ou bénéficiaires de services ;

- des filiales ou des succursales communautaires de sociétés russes d'employer ou de faire employer sur le territoire de la Communauté des ressortissants russes ;
- des filiales ou des succursales russes de sociétés communautaires d'employer ou de faire employer sur le territoire de la Russie des ressortissants des Etats membres ;
- des sociétés russes ou des filiales ou succursales communautaires de sociétés russes de fournir des travailleurs qui sont des ressortissants russes chargés d'agir pour le compte et sous le contrôle d'autres personnes en vertu de contrats d'emploi temporaires ;
- des sociétés communautaires ou des filiales ou succursales russes de sociétés communautaires de fournir des travailleurs qui sont des ressortissants des Etats membres chargés d'agir pour le compte et sous le contrôle d'autres personnes en vertu de contrats d'emploi temporaires.

ARTICLE 51

1. Le traitement accordé, depuis le jour qui précède d'un mois la date d'entrée en vigueur des obligations pertinentes découlant du GATS, par l'une des parties à l'autre partie en vertu du présent accord n'est pas plus favorable, en ce qui concerne les secteurs ou les mesures couverts par le GATS, que celui accordé par cette première partie conformément aux dispositions du GATS et ce, quel que soit le secteur, sous-secteur ou mode de prestation du service.
2. Sans préjudice du caractère automatique des dispositions du paragraphe 1, la partie qui a contracté des obligations en vertu du GATS informe l'autre partie des dispositions adéquates et des adaptations en résultant pour le présent accord.
3. Dans le mois suivant la réception des informations visées au paragraphe 2 en provenance de la partie qui a contracté des obligations en vertu du GATS, l'autre partie peut notifier à la première son intention d'apporter des adaptations à ses obligations en vertu du présent titre et les effectuer selon les dispositions ci-après :

- lorsqu'un secteur, un sous-secteur ou un mode de prestation d'un service a été exclu de l'accord, ou si sa portée a été restreinte ou soumise à des conditions conformément au paragraphe 1, le secteur, sous-secteur ou mode de prestation identique peut être exclu ou sa portée peut être restreinte de la même façon ou soumise à des conditions identiques ou similaires.
4. Les adaptations apportées par la deuxième partie doivent se traduire par le rétablissement d'un équilibre des obligations entre les parties.
5. Au cas où une des parties considère que les adaptations effectuées en vertu du paragraphe 3 ne se sont pas traduites par le rétablissement de l'équilibre des obligations entre les parties, celle-ci peut demander à l'autre partie d'engager des consultations dans les trente jours en vue de trouver une solution satisfaisante grâce à toute autre adaptation appropriée de ses obligations conformément au présent titre.
6. Si aucune solution satisfaisante n'est trouvée dans les trente jours suivant l'ouverture de ces consultations, les procédures visées à l'article 101 seront applicables à la demande de l'une des parties.

TITRE V

PAIEMENTS ET CAPITAUX

ARTICLE 52

1. Les parties s'engagent à autoriser, dans une monnaie librement convertible, tout paiement courant entre des résidents de la Communauté et de la Russie lié à des mouvements de marchandises, de services ou de personnes effectués conformément aux dispositions du présent accord.
2. La libre circulation des capitaux entre des résidents de la Communauté et de la Russie concernant des investissements directs effectués dans des sociétés constituées conformément à la législation du pays hôte et des investissements directs effectués conformément aux dispositions du chapitre II du titre IV, ainsi que le transfert à l'étranger du produit de ces investissements, y compris tout versement d'indemnités résultant de mesures telles que l'expropriation et la nationalisation ou de mesures d'effet équivalent, et de tout bénéfice en découlant, sont assurés.

3. Les dispositions du paragraphe 2 n'interdisent pas à la Russie d'appliquer des restrictions aux investissements directs à l'étranger par des résidents russes. Les parties conviennent de se consulter, cinq ans après l'entrée en vigueur du présent accord, sur le maintien de ces restrictions, compte tenu de toutes les considérations monétaires, fiscales et financières pertinentes.
4. Les transferts relatifs aux mouvements de capitaux visés au paragraphe 2 s'effectuent dans les mêmes conditions de taux de change que ceux portant sur les transactions courantes.
5. Sans préjudice des paragraphes 6 et 7, après une période de transition de cinq ans à partir de l'entrée en vigueur du présent accord, les parties s'abstiennent d'introduire de nouvelles restrictions affectant les mouvements de capitaux et les paiements courants y afférents entre les résidents de la Communauté et de la Russie et de rendre les arrangements existants plus restrictifs. Toutefois, l'introduction de restrictions pendant la période de transition visée à la première phrase du présent paragraphe n'affecte pas les droits et obligations des parties découlant des paragraphes 2, 3, 4 et 9 du présent article.
6. Après l'entrée en vigueur de l'interdiction visée au paragraphe 5 et sans préjudice des paragraphes 1 et 2, lorsque, dans des circonstances exceptionnelles, la libre circulation des capitaux entre des résidents de la Communauté et de la Russie cause, ou risque de causer, de graves difficultés pour l'application de la politique de change ou de la politique monétaire de la Communauté ou de la Russie, la Communauté et la Russie respectivement peuvent prendre des mesures de sauvegarde en ce qui concerne les mouvements de capitaux entre la Communauté et la Russie pendant une période ne dépassant pas six mois si de telles mesures sont strictement nécessaires.
7. Sur la base des dispositions du présent article, tant que la convertibilité totale de la monnaie de la Russie au sens de l'article VIII des statuts du Fonds monétaire international (FMI)¹ n'a pas été instaurée, la Russie peut appliquer des restrictions de change liées à l'octroi ou à l'obtention de crédits financiers à court et moyen termes, dans la mesure où ces restrictions lui sont imposées pour l'octroi de tels crédits et sont autorisées conformément à son statut au sein du FMI.

¹ Voir « Accord relatif au Fonds monétaire international et Accord relatif à la Banque internationale pour la reconstruction et le développement » dans le *Recueil des Traités* des Nations Unies, vol. 2 p. 39.

La Russie applique ces restrictions de manière non discriminatoire et en veillant à ce qu'elles perturbent le moins possible le présent accord. La Russie informe rapidement le conseil de coopération de l'adoption de ces mesures et de toute modification qu'elle pourrait y apporter.

8. Les parties se consultent en vue de faciliter la circulation des capitaux entre la Communauté et la Russie afin de promouvoir les objectifs du présent accord. Les parties s'efforcent particulièrement de poursuivre la libéralisation des mouvements de capitaux relatifs à des investissements de portefeuille et des crédits commerciaux, et les mouvements de capitaux relatifs à des prêts financiers et des crédits accordés par des résidents communautaires à des résidents russes. Le conseil de coopération formule des recommandations appropriées dans les cinq premières années suivant l'entrée en vigueur du présent accord.

9. Les parties s'accordent le traitement de la nation la plus favorisée en ce qui concerne la libre circulation des paiements courants et des capitaux et en ce qui concerne les méthodes de paiement.

TITRE VI

CONCURRENCE, PROTECTION DE LA PROPRIÉTÉ INTELLECTUELLE, INDUSTRIELLE ET COMMERCIALE, COOPÉRATION LEGISLATIVE

ARTICLE 53

Concurrence

1. Les parties conviennent de neutraliser ou d'éliminer, par l'application de leurs lois sur la concurrence ou de toute autre manière, les restrictions à la concurrence dues aux entreprises ou à une intervention de l'Etat dans la mesure où elles risquent d'affecter les échanges entre la Communauté et la Russie.

2. En vue d'atteindre les objectifs mentionnés au paragraphe 1 :

2.1 Les parties veillent à adopter et à appliquer les lois concernant les restrictions en matière de concurrence pratiquées par les entreprises relevant de leur juridiction.

2.2 Les parties s'abstiennent d'octroyer des aides à l'exportation favorisant certaines entreprises ou la production de produits autres que des produits de base. Les parties se déclarent également prêtes, à partir de la troisième année suivant la date d'entrée en vigueur du présent accord, à établir des disciplines strictes pour d'autres aides qui faussent ou qui menacent de fausser la concurrence dans la mesure où elles affectent les échanges entre la Communauté et la Russie, comprenant notamment l'interdiction absolue de certaines aides. Ces catégories d'aides et les disciplines applicables à chacune d'entre elles sont définies d'un commun accord dans une période de trois ans suivant l'entrée en vigueur du présent accord.

A la demande de l'une des parties, l'autre fournit des informations sur ses régimes d'aide ou sur certains cas particuliers d'aides d'Etat.

2.3 Pendant une période de transition expirant cinq ans après l'entrée en vigueur du présent accord, la Russie peut prendre des mesures en contradiction avec la deuxième phrase du paragraphe 2.2, pour autant que ces mesures soient introduites et appliquées dans les circonstances visées à l'annexe 9.

2.4 Dans le cas de monopoles d'Etat à caractère commercial, les parties se déclarent prêtes, à partir de la troisième année suivant la date d'entrée en vigueur du présent accord, à faire en sorte qu'il n'y ait pas de discrimination entre les ressortissants et les sociétés des parties en ce qui concerne les conditions auxquelles les marchandises sont fournies ou commercialisées.

En ce qui concerne les entreprises publiques ou les entreprises auxquelles les Etats membres ou la Russie accordent des droits exclusifs, les parties se déclarent disposées, à partir de la troisième année suivant la date d'entrée en vigueur du présent accord, à faire en sorte qu'aucune mesure perturbant les échanges entre la Communauté et la Russie dans une mesure contraire aux intérêts respectifs des parties ne soit adoptée ou maintenue. Cette disposition ne fait pas obstacle à l'exécution, en droit ou en fait, des tâches particulières assignées à ces entreprises.

2.5 La période définie aux paragraphes 2.4 et 2.4 peut être prolongée sur accord des parties.

3. Des consultations peuvent avoir lieu au sein du comité de coopération à la demande de la Communauté ou de la Russie concernant les restrictions ou les distorsions de la concurrence visées aux paragraphes 1 et 2 ainsi que l'application de leurs règles de concurrence, sous réserve des limites imposées par les lois relatives à la divulgation d'informations, à la confidentialité et au secret des affaires. Les consultations peuvent également porter sur des questions relatives à l'interprétation des paragraphes 1 et 2.
4. La partie ayant une expérience de l'application des règles de concurrence s'efforce de fournir à l'autre partie, sur demande et dans la limite des ressources disponibles, une assistance technique pour le développement et la mise en oeuvre des règles de concurrence.
5. Les dispositions ci-dessus n'affectent en rien les droits d'une partie d'appliquer des mesures adéquates, notamment celles visées à l'article 18, afin de remédier à toute distorsion des échanges.

ARTICLE 54

Protection de la propriété intellectuelle, industrielle et commerciale

1. Conformément aux dispositions du présent article et de l'annexe 10, les parties confirment l'importance qu'elles attachent à la protection adéquate et effective et à l'application des droits de propriété intellectuelle, industrielle et commerciale.
2. Les parties confirment l'importance qu'elles attachent aux obligations qui découlent des conventions multilatérales suivantes :
 - Convention de Paris pour la protection de la propriété industrielle (Acte de Stockholm, 1967¹, modifié en 1979) ;

¹ Nations Unies, *Recueil des Traités*, vol. 828, p. 305.

- Arrangement de Madrid concernant l'enregistrement international des marques (Acte de Stockholm, 1967¹, modifié en 1979) ;
- Arrangement de Nice concernant la classification internationale des produits et des services aux fins de l'enregistrement des marques (Genève, 1977², modifié en 1979) ;
- Traité de Budapest sur la reconnaissance internationale du dépôt des micro-organismes aux fins de la procédure en matière de brevets (1977³, modifié en 1980) ;
- Traité de coopération en matière de brevets (Washington, 1970⁴, modifié en 1979⁴ et en 1984) ;
- Protocole relatif à l'arrangement de Madrid concernant l'enregistrement international des marques (Madrid, 1989).

3. La mise en oeuvre des dispositions du présent article et de l'annexe 10 fait régulièrement l'objet d'un réexamen par les parties conformément à l'article 90. En cas de difficultés dans le domaine de la propriété intellectuelle, industrielle et commerciale affectant le commerce, des consultations sont organisées sans délai, à la demande de l'une des parties, afin de trouver des solutions mutuellement satisfaisantes.

ARTICLE 55

Coopération Législative

1. Les parties reconnaissent que le renforcement des liens économiques entre la Russie et la Communauté dépend essentiellement du rapprochement des législations. La Russie s'efforce d'assurer que sa législation soit progressivement rendue compatible avec la législation communautaire.

¹ Nations Unies, *Recueil des Traités*, vol. 828, p. 389.

² *Ibid.*, vol. 1154, p. 89.

³ *Ibid.*, vol. 1861, n° I-31699.

⁴ *Ibid.*, vol. 1160, p. 231.

2. Le rapprochement des législations s'étend en particulier aux domaines suivants : droit des sociétés, droit bancaire, comptabilité et fiscalité des entreprises, protection des travailleurs sur le lieu de travail, services financiers, règles de concurrence, marchés publics, protection de la santé et de la vie des personnes, des animaux et des plantes, environnement, protection des consommateurs, fiscalité indirecte, législation douanière, règles et normes techniques, lois et réglementations nucléaires, transports.

TITRE VII

COOPERATION ECONOMIQUE

ARTICLE 56

1. La Communauté et la Russie encouragent une coopération économique à grande échelle de manière à contribuer à l'expansion de leurs économies respectives, à la création d'un environnement économique international favorable et à l'intégration de la Russie dans une zone plus vaste de coopération en Europe. Cette coopération renforce et développe les liens économiques dans l'intérêt des deux parties.

2. Les politiques et les autres mesures des parties concernant le présent titre visent notamment à promouvoir les réformes économiques et sociales et la restructuration en Russie ; elles s'inspirent des principes de la durabilité et du développement social harmonieux et, par ailleurs, intègrent pleinement les considérations relatives à l'environnement.

3. La coopération porte notamment sur:

- le développement de leurs industries et de leurs transports ;
- l'exploration de nouvelles sources d'approvisionnement et de nouveaux marchés ;
- l'encouragement du progrès scientifique et technique ;
- l'encouragement du développement dans la stabilité des rapports sociaux et des ressources humaines ainsi que de l'emploi local ;

- la promotion de la coopération régionale en vue de permettre son développement durable et harmonieux.
4. Les parties considèrent qu'il est essentiel, parallèlement à l'établissement entre elles d'une relation de partenariat et de coopération, de maintenir et de développer la coopération avec les autres Etats européens et avec les autres pays issus de l'ancienne URSS en vue de permettre le développement harmonieux de la région et elles mettent tout en oeuvre pour encourager ce processus.
5. Le cas échéant, la coopération économique et les autres formes de coopération prévues par le présent accord peuvent être appuyées par la Communauté sur la base des règlements du Conseil applicables à l'assistance technique aux pays issus de l'ancienne URSS, en tenant compte des priorités convenues par les parties. Un appui peut également être fourni, le cas échéant, par le biais des autres instruments communautaires disponibles.
- Une attention particulière est accordée par les parties aux mesures susceptibles de promouvoir la coopération avec les autres pays issus de l'ancienne URSS.
6. Les dispositions du présent titre n'affectent pas la mise en oeuvre des règles de concurrence des parties et des dispositions spécifiques du présent accord applicables aux entreprises en matière de concurrence.

ARTICLE 57

Coopération industrielle

1. La coopération vise en particulier à promouvoir :
- le développement des liens commerciaux entre les agents économiques, y compris les petites et moyennes entreprises ;
 - l'amélioration de la gestion au niveau des entreprises ;
 - le processus de privatisation dans le contexte de la restructuration économique et le renforcement du secteur privé ;

- les efforts dans les secteurs public et privé visant à restructurer et à moderniser l'industrie au cours de la période de transition vers une économie de marché, dans des conditions garantissant la protection de l'environnement et le développement durable ;
 - la reconversion des industries d'armement ;
 - le développement de règles et pratiques commerciales adéquates, inspirées du marché, ainsi que le transfert de savoir-faire.
2. Les initiatives prises en matière de coopération industrielle tiennent compte des priorités déterminées par la Communauté et la Russie. Elles visent notamment à créer un cadre approprié pour les entreprises, à améliorer le savoir-faire en matière de gestion et à promouvoir la transparence des marchés et des conditions d'exploitation des entreprises.

ARTICLE 58

Promotion et protection des investissements

1. Compte tenu des pouvoirs et compétences respectifs de la Communauté et des Etats membres, la coopération vise à créer un environnement favorable aux investissements, tant nationaux qu'étrangers, particulièrement par la réalisation de meilleures conditions pour la protection des investissements, le transfert des capitaux et l'échange d'informations en matière de possibilités d'investissement.
2. La coopération vise en particulier :
- la conclusion, le cas échéant, entre les Etats membres et la Russie d'accords de promotion et de protection des investissements ;
 - la conclusion, le cas échéant, entre les Etats membres et la Russie, d'accords visant à éviter la double imposition ;
 - l'échange d'informations sur les possibilités d'investissement dans le cadre, entre autres, de foires commerciales, d'expositions, de semaines commerciales et autres manifestations ;

- l'échange d'informations en matière de lois, réglementations et pratiques administratives dans le domaine des investissements.

ARTICLE 59

Marchés publics

Les parties coopèrent pour promouvoir une concurrence ouverte dans la passation des marchés publics, notamment par le biais d'appels d'offres.

ARTICLE 60

Normes et évaluation de la conformité : Protection des consommateurs

1. Dans les limites de leurs compétences et conformément à leur législation, les parties prennent des mesures visant à réduire les différences existant entre elles dans le domaine de la métrologie, de la normalisation et de la certification en encourageant l'utilisation des instruments internationaux convenus en la matière.

Les parties coopèrent étroitement dans les domaines susmentionnés avec les organisations européennes et les autres organisations internationales compétentes en la matière.

Les parties encouragent, en particulier, l'interaction effective entre leurs organisations respectives, dans le but de commencer à négocier des accords de reconnaissance mutuelle dans le domaine de l'évaluation de la conformité.

2. Les parties coopèrent étroitement en vue de rendre compatibles leurs systèmes de protection des consommateurs.

Cette coopération vise notamment à créer des systèmes permanents d'information mutuelle sur les produits dangereux, à améliorer les informations fournies aux consommateurs, notamment en matière de prix, de caractéristiques des produits et services offerts, à développer les échanges entre les représentants des intérêts des consommateurs et à améliorer la compatibilité des politiques de protection des consommateurs.

ARTICLE 61**Secteur minier et matières premières**

1. Les parties coopèrent en vue de promouvoir le développement du secteur minier et des matières premières. Elles accordent une attention particulière à la coopération dans le secteur des métaux non ferreux.
2. La coopération concerne en particulier les domaines suivants :
 - l'échange d'informations sur toutes les questions intéressant les parties dans le secteur minier et des matières premières, y compris les questions commerciales ;
 - l'adoption et la mise en oeuvre d'une législation dans le domaine de l'environnement ;
 - la formation.
3. Cette coopération est réexaminée régulièrement par les parties au sein d'un comité ou organe spécial institué conformément aux dispositions de l'article 93.
4. Le présent article ne porte pas préjudice aux dispositions des articles concernant plus particulièrement les matières premières, à savoir, notamment, les articles 21, 65 et 66.

ARTICLE 62**Science et technologie**

1. Les parties encouragent, dans leur intérêt réciproque, la coopération bilatérale dans le domaine de la recherche scientifique et du développement technologique civils et, compte tenu des ressources disponibles, l'accès approprié à leurs programmes respectifs, sous réserve d'une protection effective et suffisante des droits de propriété intellectuelle, industrielle et commerciale.

2. La coopération en matière de science et technologie couvre :

- l'échange d'informations scientifiques et techniques ;
- des activités conjointes de recherche et de développement technologique ;
- des activités de formation et des programmes de mobilité pour les scientifiques, les chercheurs et les techniciens des deux parties oeuvrant dans le domaine de la recherche et du développement technologique.

Lorsque cette coopération s'effectue dans le cadre d'activités liées à l'éducation et/ou à la formation, elle doit se conformer aux dispositions de l'article 63.

Dans le cadre de ces activités de coopération, une attention particulière est accordée au redéploiement des scientifiques, ingénieurs, chercheurs et techniciens qui participent ou ont participé à la recherche et/ou à la production d'armes de destruction massive.

3. Cette coopération est mise en oeuvre conformément à des arrangements spécifiques négociés et conclus selon les procédures adoptées par chaque partie, qui fixent, entre autres, les dispositions appropriées en matière de droits de propriété intellectuelle, industrielle et commerciale.

ARTICLE 63

Education et formation

1. Les parties coopèrent en vue de relever le niveau de l'enseignement général et des qualifications professionnelles, tant dans les secteurs public que privé.

2. La coopération concerne en particulier les domaines suivants :

- la modernisation des systèmes d'enseignement supérieur et de formation en Russie ;
- la formation des cadres et des hauts fonctionnaires des secteurs public et privé dans des domaines prioritaires à déterminer ;

- la coopération entre les universités et entre les universités et les entreprises ;
- la mobilité des professeurs, des diplômés, des jeunes scientifiques et des chercheurs, des administrateurs et des jeunes ;
- la promotion des études européennes dans les institutions appropriées ;
- l'enseignement des langues de la Communauté et de la Fédération de Russie ;
- la formation post-universitaire d'interprètes de conférence ;
- la formation de journalistes ;
- l'échange des méthodes de formation et la promotion de l'utilisation de programmes de formation et d'infrastructures techniques modernes ;
- le développement de l'enseignement à distance et de nouvelles technologies dans le domaine de la formation ;
- la formation de formateurs.

3. La participation d'une partie aux divers programmes d'éducation et de formation de l'autre partie peut être envisagée conformément à leurs procédures respectives et, le cas échéant, des cadres institutionnels et des programmes de coopération pourraient être établis dans le prolongement de la participation de la Russie au programme TEMPUS de la Communauté.

ARTICLE 64

Agriculture et secteur agro-industriel

La coopération vise à moderniser, restructurer et privatiser les secteurs agricole et agro-industriel en Russie dans des conditions assurant la protection de l'environnement. Cette coopération repose, entre autres, sur le développement des exploitations privées et des réseaux de distribution privés, des méthodes de stockage, des techniques de marketing et de gestion, sur la modernisation des infrastructures rurales et sur l'amélioration de la

politique d'aménagement de l'espace agricole, améliorant ainsi la productivité, la qualité et l'efficacité, et le transfert de technologie et de savoir-faire. Les parties visent également à rendre compatibles leurs normes sanitaires et phytosanitaires.

ARTICLE 65

Energie

1. La coopération s'inscrit dans le cadre des principes de l'économie de marché et de la Charte européenne de l'énergie, dans la perspective d'une intégration progressive des marchés de l'énergie en Europe.
2. La coopération porte notamment sur les points suivants :
 - l'amélioration de la qualité et de la sécurité de l'approvisionnement en énergie d'une façon économiquement et écologiquement saine ;
 - la formulation d'une politique énergétique ;
 - l'amélioration de la gestion et de la réglementation du secteur de l'énergie conformément à une économie de marché ;
 - la réalisation d'un ensemble de conditions institutionnelles, juridiques, fiscales et autres nécessaires pour encourager les échanges et les investissements en matière d'énergie ;
 - la promotion des économies d'énergie et de l'efficacité énergétique ;
 - la modernisation de l'infrastructure énergétique, y compris l'interconnexion des réseaux de gaz et d'électricité ;
 - l'impact sur l'environnement de la production, l'approvisionnement et la consommation d'énergie, afin d'éviter ou de minimiser les dommages écologiques résultant de ces activités ;

- l'amélioration des technologies d'approvisionnement et d'utilisation finale quel que soit le type d'énergie ;
- la gestion et la formation technique dans le secteur de l'énergie.

ARTICLE 66

Secteur nucléaire

Compte tenu des pouvoirs et compétences respectifs de la Communauté et des Etats membres, la coopération civile dans le secteur nucléaire s'effectue, entre autres, par la mise en oeuvre de deux accords spécifiques concernant la fusion thermonucléaire et la sûreté nucléaire qui doivent être conclus entre les parties.

ARTICLE 67

Espace

Sans préjudice des dispositions de l'article 41, les parties encouragent, le cas échéant, la coopération à long terme en matière de recherche, de développement et d'applications commerciales dans le domaine spatial civil. Elles accordent une attention particulière aux initiatives privilégiant pleinement, dans l'intérêt réciproque des deux parties, la complémentarité de leurs activités respectives.

ARTICLE 68

Construction

Les parties coopèrent dans le secteur de la construction, notamment dans les domaines couverts par les articles 55, 57, 60, 62, 63 et 77 du présent accord.

Cette coopération vise, entre autres, à moderniser et à restructurer le secteur de la construction en Russie conformément aux principes de l'économie de marché et en tenant compte des aspects connexes en matière de santé, de sécurité et d'environnement.

ARTICLE 69

Environnement

1. Dans l'esprit de la Charte européenne de l'énergie et de la Déclaration de la conférence de Lucerne de 1993, les parties développent et renforcent leur coopération dans le domaine de l'environnement et de la santé humaine.

2. La coopération vise à lutter contre la dégradation de l'environnement et couvre notamment :

- la surveillance effective de la pollution et l'évaluation de l'environnement ; un système d'information sur l'état de l'environnement ;
- la lutte contre la pollution locale, régionale et transfrontalière de l'air et de l'eau ;
- la réhabilitation de l'environnement ;
- la production et la consommation durables, efficaces et écologiques de l'énergie ; la sécurité des installations industrielles ;
- la classification et la manipulation sans danger des substances chimiques ;
- la qualité de l'eau ;
- la réduction, le recyclage et l'élimination propre des déchets ; la mise en oeuvre de la convention de Bâle¹ ;
- l'impact de l'agriculture sur l'environnement ; l'érosion des sols ; la pollution chimique ;
- la protection des forêts ;
- la préservation de la biodiversité, les zones protégées et l'utilisation et la gestion durables des ressources biologiques ;

¹ Nations Unies, *Recueil des Traités*, vol. 1673, n° 1-28911.

- l'aménagement du territoire, y compris la construction et l'urbanisme ;
- l'utilisation d'instruments économiques et fiscaux ;
- le changement climatique à l'échelle planétaire ;
- l'éducation et la sensibilisation à l'environnement ;
- la mise en oeuvre de la convention d'Espoo sur l'évaluation de l'impact sur l'environnement dans un contexte transfrontière.

3. La coopération porte notamment sur les domaines suivants :

- prévision des catastrophes et autres situations d'urgence ;
- échange d'informations et d'experts, notamment en matière de transfert de technologies propres et d'utilisation sûre et écologique des biotechnologies ;
- activités communes de recherche ;
- adaptation des législations aux normes communautaires ;
- coopération au niveau régional, y compris dans le cadre de l'Agence européenne de l'environnement instituée par la Communauté, et au niveau international ;
- développement de stratégies, en particulier en ce qui concerne les problèmes planétaires et climatiques ainsi que la réalisation d'un développement durable ;
- études d'impact sur l'environnement.

ARTICLE 70

Transports

Les parties développent et renforcent leur coopération dans le domaine des transports.

Cette coopération vise, entre autres, à restructurer et à moderniser les systèmes et les réseaux de transport en Russie et à développer et à assurer, le cas échéant, la compatibilité des systèmes de transport dans la perspective d'une globalisation accrue.

La coopération porte notamment sur :

- la modernisation de la gestion et de l'exploitation des transports routiers, des chemins de fer, des ports et des aéroports ;
- la modernisation et le développement des infrastructures routières, ferroviaires, portuaires, aéroportuaires et des voies navigables, y compris la modernisation des grands axes d'intérêt commun et des liaisons transeuropéennes pour les modes de transport précités ;
- la promotion et le développement des transports multimodaux ;
- la promotion de programmes communs de recherche et de développement ;
- l'élaboration du cadre juridique et institutionnel pour le développement et la mise en oeuvre d'une politique des transports prévoyant entre autres la privatisation du secteur des transports.

ARTICLE 71

Services postaux et télécommunications

1. Les parties développent et renforcent leur coopération dans ce domaine en vue d'intégrer graduellement sur le plan technique leurs réseaux respectifs de services postaux et de télécommunications. Pour ce faire, elles organisent notamment les actions suivantes :

- l'échange d'informations en matière de télécommunications, de services postaux et de politiques de télévision et de radiodiffusion ;
- l'échange d'informations techniques et autres, l'organisation d'activités de formation et de conseil ;
- le transfert de technologie et de savoir-faire ;
- l'élaboration et la mise en oeuvre par les organismes compétents des deux parties de projets conjoints ;

- la promotion des nouvelles infrastructures de communication, notamment pour satisfaire les besoins des institutions publiques et commerciales ;
 - la promotion des normes techniques, systèmes de certification et cadres réglementaires européens ;
 - la coopération en vue de garantir la communication dans des circonstances critiques, la consultation réciproque sur l'élaboration d'orientations pour la coopération entre les opérateurs, notamment en cas de catastrophe, etc.
2. Ces activités mettent, entre autres, l'accent sur les domaines prioritaires suivants :
- le développement et la modernisation d'un secteur intégré des télécommunications en Russie dans le contexte des réformes du marché et de la création d'un cadre réglementaire approprié ;
 - la modernisation du réseau de télécommunications de la Russie et son intégration technique aux réseaux européens et mondiaux ;
 - la coopération en vue du développement de systèmes d'échange d'informations et de transmission de données entre organisations communautaires et russes ;
 - l'intégration technique des réseaux transeuropéens de télécommunications ;
 - la modernisation des services postaux et de radiodiffusion de la Russie, y compris dans leurs aspects juridiques et réglementaires ;
 - la gestion des télécommunications, des services postaux, de télévision et de radiodiffusion compte tenu de l'évolution de l'environnement économique des deux parties, notamment sur le plan des structures, de la stratégie et de la planification, de la politique tarifaire et des principes d'achat.

ARTICLE 72**Services financiers**

Les parties coopèrent en vue d'établir et de développer un cadre approprié pour les services bancaires, d'assurance et autres services financiers en Russie, qui soit adapté aux besoins d'une économie de marché.

La coopération met l'accent sur :

- le développement de normes comptables appropriées à une économie de marché et compatibles avec celles adoptées par les Etats membres ;
- la restructuration du système bancaire, d'assurance et financier ;
- l'amélioration de la surveillance et de la réglementation du secteur des services bancaires, d'assurance et financiers ;
- le développement de systèmes d'audit compatibles ;
- l'échange d'informations sur les lois en vigueur ou en cours d'élaboration ;
- la modernisation des infrastructures des banques commerciales et privées.

ARTICLE 73**Développement régional**

Les parties renforcent leur coopération dans le domaine du développement régional et de l'aménagement du territoire.

Elles encouragent l'échange d'informations par les autorités nationales, régionales et locales sur la politique régionale et la politique en matière d'aménagement du territoire ainsi que sur les méthodes de formulation des politiques régionales portant notamment sur le développement des régions défavorisées.

Elles encouragent également les contacts directs entre les régions et les organisations publiques responsables de la planification du développement régional dans le but, entre autres, d'échanger des méthodes et moyens d'encourager le développement régional.

ARTICLE 74

Coopération en matière sociale

1. Dans le domaine de la santé et de la sécurité, les parties développent leur coopération dans le but d'améliorer le niveau de protection de la santé et de la sécurité des travailleurs.

La coopération porte notamment sur :

- l'éducation et la formation en matière de santé et de sécurité, avec une attention particulière pour les secteurs d'activités à hauts risques ;
- le développement et la promotion de mesures préventives pour lutter contre les maladies professionnelles ;
- la prévention des risques d'accidents majeurs et la gestion des substances chimiques toxiques ;
- la recherche en vue de développer la base de connaissances relatives au milieu de travail et à la santé et la sécurité des travailleurs.

2. Dans le domaine de l'emploi, la coopération comporte notamment une assistance technique relative à :

- l'optimisation du marché du travail ;
- la modernisation des services de placement et d'orientation ;
- la planification et la réalisation de programmes de restructuration ;
- la promotion du développement local de l'emploi ;

- l'échange d'informations sur les programmes relatifs à l'emploi flexible, notamment ceux stimulant l'emploi indépendant et encourageant l'esprit d'entreprise.
3. Les parties accordent une attention particulière à la coopération dans le domaine de la protection sociale, notamment à la coopération en matière de planification et de mise en oeuvre des réformes de protection sociale en Russie.

Ces réformes visent à développer en Russie les méthodes de protection propres aux économies de marché et comprennent toutes les formes de prestations de sécurité sociale.

La coopération comprend également une assistance technique au développement d'organismes de sécurité sociale en vue de promouvoir une transition progressive vers un système combinant des formes de protection contributives et l'assistance sociale, ainsi qu'au développement d'organisations non gouvernementales assurant des services sociaux.

ARTICLE 75

Tourisme

Les parties renforcent et développent leur coopération notamment en :

- favorisant les échanges touristiques ;
- assurant une coopération entre les organes officiels du tourisme ;
- augmentant les flux d'informations ;
- transférant le savoir-faire ;
- examinant les possibilités d'organiser des actions conjointes ;

ARTICLE 76

Petites et moyennes entreprises

1. Les parties visent à développer et à renforcer les petites et moyennes entreprises (PME) ainsi qu'à promouvoir la coopération entre les PME de la Communauté et de Russie.

2. Les parties encouragent l'échange d'informations et de savoir-faire, notamment dans les domaines suivants :

- instauration des conditions juridiques, administratives, techniques, fiscales, financières et autres nécessaires à la création et au développement des PME et à la coopération transfrontalière ;
- fourniture des services spécialisés requis par les PME, à savoir, par exemple, la formation à la gestion et au marketing, la comptabilité, le contrôle de la qualité ainsi que la création ou le renforcement d'agences fournissant ce type de services ;
- création de liens durables et stables entre les opérateurs communautaires et russes de manière à améliorer le flux d'informations aux PME ainsi que la promotion de la coopération transfrontalière, notamment par le biais du "Business Cooperation Network" et des centres Euro-Info-Correspondance, pour autant qu'il soit satisfait aux conditions nécessaires pour accéder à ces réseaux.

Les parties coopèrent étroitement en vue de garantir le respect des conditions nécessaires pour accéder aux réseaux.

ARTICLE 77

Communication, informatique et information

1. Les parties encouragent le développement de méthodes modernes de gestion de l'information concernant, notamment, les médias. Elles prennent des mesures visant à favoriser un échange efficace d'informations. La priorité est accordée aux programmes visant à fournir au grand public des informations de base au sujet de la Communauté et à fournir aux milieux professionnels, notamment d'affaires, des informations spécialisées.

2. Les parties s'efforcent de développer et de renforcer leur coopération de manière à mettre en place les infrastructures d'information appropriées. Pour ce faire, elles organisent notamment les actions suivantes :

- l'échange d'informations sur les politiques suivies en matière de création des infrastructures d'information, notamment sur les cadres réglementaires ;
- l'étude de la possibilité de mettre en oeuvre des projets conjoints de recherche et développement dans le domaine des technologies de l'information et de la communication, ainsi que la mise en place d'infrastructures d'information adaptées aux besoins d'une économie de marché, en tenant compte du potentiel de reconversion des entreprises russes et de l'intérêt marqué par la Russie pour l'informatisation et en permettant l'interopérabilité avec les infrastructures d'information de la Communauté ;
- le développement de programmes conjoints concernant la formation de spécialistes en matière de technologies de l'information et de services d'information ;
- la promotion des normes techniques, systèmes de certification et cadres réglementaires européens.

ARTICLE 78

Douanes

1. La coopération vise à rendre compatibles les régimes douaniers des parties.
2. La coopération porte notamment sur les points suivants :
 - échange d'informations ;
 - amélioration des méthodes de travail ;
 - harmonisation et simplification des procédures douanières applicables aux marchandises échangées entre les parties ;

- interconnexion entre les systèmes de transit de la Communauté et de la Russie ;
- soutien à l'introduction et à la gestion de systèmes d'informations douanières modernes, y compris des systèmes informatisés dans les bureaux de douane ;
- assistance mutuelle et actions conjointes en ce qui concerne les biens à double usage et les biens faisant l'objet de limites non tarifaires ;
- organisation de séminaires et de périodes de formation.

Une assistance technique est au besoin fournie.

3. Sans préjudice d'autres formes de coopération prévues par le présent accord, notamment aux articles 82 et 84, l'assistance mutuelle en matière douanière entre les autorités administratives des parties est régie par les dispositions du protocole 2.

ARTICLE 79

Coopération dans le domaine statistique

1. La coopération vise à mettre en place un système statistique efficace et à garantir la compatibilité informative et technologique des données statistiques en fournissant, en temps utile, les statistiques fiables nécessaires pour soutenir et surveiller la coopération économique entre les parties et le processus de réforme économique en Russie et aussi pour contribuer au développement de l'entreprise privée en Russie.
2. Les parties coopèrent particulièrement de manière à :
 - favoriser la mise en place d'un système statistique efficace en Russie et, notamment, à élaborer un cadre institutionnel approprié ;
 - améliorer le niveau de formation et le niveau professionnel du personnel statistique ;
 - parvenir à une harmonisation avec les méthodes, normes et classifications internationales et, plus particulièrement, communautaires ;

- fournir aux agents économiques des secteurs public et privé les données statistiques macro- et micro-économiques nécessaires ;
- garantir la confidentialité des données ;
- échanger des informations statistiques et, pour ce faire, créer et/ou utiliser des bases de données d'une manière appropriée.

ARTICLE 80

Science économique

1. Les parties facilitent le processus de réforme économique et la coordination des politiques économiques par la voie d'une coopération visant à améliorer la compréhension des mécanismes fondamentaux de leurs économies respectives et l'élaboration et la mise en oeuvre de la politique économique dans les économies de marché.

Les parties :

- échangent des informations sur les résultats et les perspectives macro-économiques ainsi que sur les stratégies de développement ;
- analysent les problèmes économiques d'intérêt mutuel, y compris l'élaboration des politiques économiques et des instruments de leur mise en oeuvre ;
- encouragent une vaste coopération entre économistes et hauts fonctionnaires afin d'accélérer le transfert d'informations et de savoir-faire nécessaire à la formulation des politiques économiques et d'assurer une large diffusion des résultats de la recherche y relative.

ARTICLE 81**Blanchiment des capitaux**

1. Les parties conviennent de la nécessité d'œuvrer et de coopérer afin d'empêcher l'utilisation de leurs systèmes financiers aux fins de blanchiment de capitaux provenant d'activités criminelles en général et du trafic illicite de la drogue en particulier.

2. La coopération dans ce domaine comporte notamment une assistance administrative et technique en vue d'adopter des normes appropriées de lutte contre le blanchiment des capitaux, comparables à celles adoptées en la matière par la Communauté et les instances internationales actives dans ce domaine et, en particulier, le groupe d'action financière internationale (GAFI).

ARTICLE 82**Lutte contre la drogue**

Les parties coopèrent en vue d'accroître l'efficacité des politiques et des mesures de lutte contre la production, l'offre et le trafic illicites de stupéfiants et de substances psychotropes, y compris la prévention du détournement des précurseurs chimiques, ainsi qu'en vue de promouvoir la prévention et la réduction de la demande de drogue. La coopération dans ce domaine est basée sur une consultation mutuelle et une coordination étroite entre les parties en ce qui concerne les objectifs et stratégies adoptés dans les différents domaines relatifs à la lutte contre la drogue. Elle prévoit, entre autres, l'échange de programmes de formation et comporte, le cas échéant, une assistance technique de la Communauté.

ARTICLE 83

Coopération dans le domaine de la réglementation
des mouvements de capitaux et des paiements en Russie

Sans préjudice des dispositions de l'article 52, les parties, reconnaissant la nécessité d'un fonctionnement stable et d'un développement du marché monétaire intérieur russe, coopèrent à la mise en place d'un système efficace de réglementation des mouvements de capitaux et des paiements en Russie.

Compte tenu de l'expérience, des compétences et des possibilités respectives des Etats membres et de la Communauté, la coopération dans ce domaine, appuyée par une assistance technique de la Communauté, couvre notamment les domaines suivants :

- l'établissement de liens entre les autorités compétentes de la Communauté et de ses Etats membres et celles de la Russie ;
- l'échange régulier d'informations ;
- l'aide à l'élaboration de réglementations appropriées.

De manière à permettre l'utilisation optimale des ressources disponibles, les parties garantissent une étroite coordination avec les mesures prises par d'autres pays et organisations internationales.

TITRE VIII

COOPERATION DANS LE DOMAINE DE LA PREVENTION DES ACTIVITES ILLEGALES

ARTICLE 84

Les parties établissent une coopération visant à prévenir des activités illégales telles que :

- l'immigration illégale et la présence illégale de leurs ressortissants sur leurs territoires respectifs, compte tenu du principe et de la pratique de la réadmission ;

- les activités illégales dans le domaine économique, dont la corruption ;
- les transactions illégales portant sur diverses marchandises, dont les déchets industriels ;
- la contrefaçon ;
- le trafic illicite de stupéfiants et de substances psychotropes.

La coopération dans les domaines précités repose sur des consultations mutuelles et des interactions étroites. Elle comporte une assistance technique et administrative, notamment pour :

- l'élaboration d'une législation nationale dans le domaine de la prévention des activités illégales ;
- la création de centres d'information ;
- le renforcement de l'efficacité des institutions actives dans le domaine de la prévention des activités illégales ;
- la formation du personnel et le développement d'infrastructures de recherche ;
- l'élaboration de mesures mutuellement acceptables de lutte contre les activités illégales.

TITRE IX

COOPERATION CULTURELLE

ARTICLE 85

1. Les parties s'engagent à promouvoir la coopération culturelle dans le but de renforcer les liens existant entre leurs populations et à encourager l'apprentissage mutuel de leurs langues et cultures respectives, tout en respectant la liberté de création et l'accès réciproque aux valeurs culturelles.

2. La coopération couvre en particulier les domaines suivants:
- l'échange d'informations et d'expériences dans le domaine de la préservation et de la protection des sites et des monuments (héritage architectural) ;
 - les échanges culturels entre les institutions, artistes et autres personnes actives dans le domaine de la culture ;
 - la traduction d'oeuvres littéraires.
3. Le conseil de coopération peut émettre des recommandations relatives à la mise en oeuvre du présent article.

TITRE X

COOPERATION FINANCIERE

ARTICLE 86

En vue de réaliser les objectifs du présent accord, notamment de ses titres VI et VII, et conformément aux articles 87, 88 et 89, la Russie bénéficie d'une assistance financière temporaire accordée par la Communauté au titre de l'assistance technique sous la forme de dons, en vue d'accélérer son processus de réforme économique.

ARTICLE 87

Cette assistance financière est couverte par les mesures prévues dans le cadre du programme Tacis et le règlement du Conseil y relatif.

ARTICLE 88

Les objectifs de l'assistance financière de la Communauté et les domaines qu'elle couvre sont définis dans un programme indicatif reflétant les priorités établies, qui est fixé d'un commun accord entre les parties, compte tenu des besoins de la Russie, de ses capacités sectorielles d'absorption et de l'évolution des réformes. Les parties en informent le conseil de coopération.

ARTICLE 89

Afin de permettre une utilisation optimale des ressources disponibles, les parties veillent à ce qu'il y ait une coordination étroite entre l'assistance technique de la Communauté et les contributions d'autres intervenants, tels que les Etats membres, les pays tiers et les organisations internationales, telles que la Banque internationale pour la reconstruction et le développement et la Banque européenne pour la reconstruction et le développement.

TITRE XI**DISPOSITIONS INSTITUTIONNELLES, GENERALES ET FINALES****ARTICLE 90**

Il est institué un conseil de coopération qui supervise la mise en oeuvre du présent accord. Le conseil se réunit au niveau ministériel une fois par an et chaque fois que les circonstances l'exigent. Il examine les problèmes importants qui se posent dans le cadre de l'accord ainsi que toutes autres questions bilatérales ou internationales d'intérêt commun dans le but d'atteindre les objectifs du présent accord. Le conseil de coopération peut également formuler les recommandations appropriées, d'un commun accord entre les représentants des parties au sein du conseil de coopération.

ARTICLE 91

1. Le conseil de coopération est composé, d'une part, des membres du Conseil de l'Union européenne et des membres de la Commission des Communautés européennes et, d'autre part, des membres du gouvernement de la Fédération de Russie.
2. Le conseil de coopération arrête son règlement intérieur.
3. La présidence du conseil de coopération est exercée à tour de rôle par un représentant de la Communauté et un membre du gouvernement de la Fédération de Russie.

ARTICLE 92

1. Le conseil de coopération est assisté dans l'accomplissement de ses tâches par un comité de coopération composé, d'une part, de représentants des membres du Conseil de l'Union européenne et de représentants de la Commission des Communautés européennes et, d'autre part, de représentants du gouvernement de la Fédération de Russie, normalement au niveau des hauts fonctionnaires. La présidence du comité de coopération est exercée à tour de rôle par un représentant de la Communauté et un représentant du gouvernement de la Fédération de Russie.

Le conseil de coopération détermine dans son règlement intérieur la mission du comité de coopération, qui consiste notamment à préparer les réunions du conseil de coopération et à assumer d'autres tâches prévues aux articles 16, 17 et 53 et à l'annexe 2, ainsi que les modalités de fonctionnement de ce comité.

2. Le conseil de coopération peut déléguer tout ou partie de ses compétences au comité de coopération, qui assure la continuité entre les réunions du conseil de coopération.

ARTICLE 93

Le conseil de coopération peut décider de constituer tout autre comité ou organe spécial pour l'assister dans l'accomplissement de ses tâches et détermine la composition, la mission et le fonctionnement de ces comités et organes.

ARTICLE 94

Lors de l'examen d'une question qui se pose dans le cadre du présent accord et qui concerne une disposition renvoyant à un article du GATT, le conseil de coopération prend en compte, dans toute la mesure du possible, l'interprétation généralement donnée de l'article du GATT en question par les parties contractantes au GATT.

ARTICLE 95

Il est institué une commission parlementaire de coopération. Cette commission se réunit selon une périodicité qu'elle détermine.

ARTICLE 96

1. La commission parlementaire de coopération est composée, d'une part, de membres du Parlement européen et, d'autre part, de membres de l'Assemblée fédérale de la Fédération de Russie.
2. La commission parlementaire de coopération arrête son règlement intérieur.
3. La présidence de la commission parlementaire de coopération est exercée à tour de rôle par un membre du Parlement européen et un membre de l'Assemblée fédérale de la Fédération de Russie, selon les modalités à prévoir dans le règlement intérieur.

ARTICLE 97

La commission parlementaire de coopération peut demander au conseil de coopération de lui fournir toute information utile relative à la mise en oeuvre du présent accord. Le conseil de coopération lui fournit les informations demandées.

La commission parlementaire de coopération est informée des recommandations du conseil de coopération.

La commission parlementaire de coopération peut adresser des recommandations au conseil de coopération.

ARTICLE 98

1. Dans le cadre du présent accord, chaque partie s'engage à assurer l'accès des personnes physiques et morales de l'autre partie, sans aucune discrimination par rapport à ses propres ressortissants, aux juridictions et instances administratives compétentes des parties afin d'y faire valoir leurs droits individuels et réels, y compris ceux relatifs à la propriété intellectuelle, industrielle et commerciale.
2. Dans les limites de leurs compétences respectives, les parties :
 - encouragent le recours à l'arbitrage pour régler les différends découlant de transactions commerciales et de coopération conclues par les opérateurs économiques de la Communauté et ceux de la Russie ;
 - conviennent que, lorsqu'un différend est soumis à arbitrage, chaque partie au différend peut, sauf dans le cas où les règles du centre d'arbitrage choisi par les parties en décident autrement, choisir son propre arbitre, quelle que soit sa nationalité, et que le troisième arbitre, qui assume la présidence, ou l'arbitre unique peut être un ressortissant d'un pays tiers ;
 - recommandent à leurs opérateurs économiques de choisir d'un commun accord la loi applicable à leurs contrats ;
 - encouragent le recours aux règles d'arbitrage élaborées par la Commission des Nations Unies pour le droit commercial international¹ (CNUDCI) et à l'arbitrage par tout centre d'un pays signataire de la Convention sur la reconnaissance et l'exécution des sentences arbitrales étrangères signée à New York le 10 juin 1958².

¹ Nations Unies, *Documents officiels de l'Assemblée générale, Trente-et-unième Session, Supplément n° 17 (A/31/17)*, p. 36.

² Nations Unies, *Recueil des Traités*, vol. 330, p. 3.

ARTICLE 99

Aucune disposition du présent accord n'empêche une partie de prendre les mesures :

- 1) qu'elle estime nécessaires à la protection des intérêts essentiels de sa sécurité :
 - a) en vue de prévenir la divulgation d'informations contraires aux intérêts essentiels de sa sécurité ;
 - b) qui ont trait aux matières fissiles ou aux matières dont celles-ci sont issues ;
 - c) qui ont trait à la production ou au commerce d'armes, de munitions ou de matériel de guerre ou à la recherche, au développement ou à la production qui sont nécessaires pour assurer sa défense, dès lors que ces mesures ne faussent pas les conditions de concurrence pour les produits non destinés à des fins spécifiquement militaires ;
 - d) en cas de troubles internes graves susceptibles de porter atteinte à la paix publique, en cas de guerre ou de grave tension internationale menaçant de déboucher sur un conflit armé ou afin de satisfaire à des obligations qu'elle a acceptées en vue d'assurer le maintien de la paix et la sécurité internationale ; ou
- 2) qu'elle estime nécessaires pour respecter ses obligations et engagements internationaux ou des mesures autonomes prises conformément à ces obligations et engagements internationaux généralement acceptés en ce qui concerne le contrôle des biens et des technologies industriels à double usage.

ARTICLE 100

1. Dans les domaines couverts par le présent accord et sans préjudice de toute disposition particulière y figurant :
 - le régime appliqué par la Russie à l'égard de la Communauté ne peut donner lieu à aucune discrimination entre les Etats membres, leurs ressortissants ou leurs sociétés ;

- le régime appliqué par la Communauté à l'égard de la Russie ne peut donner lieu à aucune discrimination entre les ressortissants de la Russie ou ses sociétés.
2. Les dispositions du paragraphe 1 ne font pas obstacle aux droits des parties d'appliquer les dispositions pertinentes de leur législation fiscale aux contribuables qui ne se trouvent pas dans des situations identiques, notamment en ce qui concerne leur lieu de résidence.

ARTICLE 101

1. Chacune des parties peut saisir le conseil de coopération de tout différend relatif à l'application ou à l'interprétation du présent accord.
2. Le conseil de coopération peut régler les différends par voie de recommandation.
3. Au cas où il n'est pas possible de régler le différend conformément au paragraphe 2, chaque partie peut notifier la désignation d'un conciliateur à l'autre partie, qui est alors tenue de désigner un deuxième conciliateur dans un délai de deux mois. Aux fins de l'application de cette procédure, la Communauté et ses Etats membres sont considérés comme une seule partie au différend.

Le conseil de coopération désigne un troisième conciliateur.

Les recommandations des conciliateurs sont prises à la majorité. Ces recommandations ne sont pas obligatoires pour les parties.

4. Le conseil de coopération peut établir des règles de procédure concernant le règlement des différends.

ARTICLE 102

Les parties conviennent de se consulter rapidement par les voies appropriées, à la demande de l'une des parties, pour examiner toute question concernant l'interprétation ou la mise en oeuvre du présent accord et d'autres aspects pertinents des relations entre les parties.

Les dispositions du présent article n'affectent en aucun cas les articles 17, 18, 101 et 107 et ne préjugent en rien de ces mêmes articles.

ARTICLE 103

Le régime accordé à la Russie en vertu du présent accord n'est en aucun cas plus favorable que celui que les Etats membres s'accordent les uns aux autres.

ARTICLE 104

Aux fins du présent accord, le terme "parties" désigne, d'une part, la Communauté, ou les Etats membres, ou la Communauté et ses Etats membres, conformément à leurs compétences respectives et, d'autre part, la Russie.

ARTICLE 105

Dans la mesure où les matières couvertes par le présent accord sont couvertes par le traité sur la Charte de l'énergie et ses protocoles, ce traité et ses protocoles s'appliquent, dès l'entrée en vigueur, à ces questions, mais uniquement dans la mesure où une telle application y est prévue.

ARTICLE 106

Le présent accord est conclu pour une période initiale de dix ans. L'accord sera renouvelé automatiquement d'année en année à condition qu'aucune des deux parties ne le dénonce au moins six mois avant son expiration en notifiant par écrit son intention à l'autre partie.

ARTICLE 107

1. Les parties prennent toute mesure générale ou particulière nécessaire à l'accomplissement de leurs obligations en vertu du présent accord. Elles veillent à ce que les objectifs définis par le présent accord soient atteints.

2. Si une partie considère que l'autre n'a pas rempli une des obligations que lui impose le présent accord, elle peut prendre les mesures appropriées. Auparavant, sauf en cas d'urgence spéciale, elle doit fournir au conseil de coopération tous les éléments d'information utiles nécessaires à un examen approfondi de la situation en vue de rechercher une solution acceptable par les parties.

Le choix doit porter par priorité sur les mesures qui perturbent le moins le fonctionnement du présent accord. Ces mesures sont notifiées immédiatement au conseil de coopération si l'autre partie le demande.

ARTICLE 108

Les annexes 1, 2, 3, 4, 5, 6, 7, 8, 9 et 10 et les protocoles 1 et 2 font partie intégrante du présent accord.

ARTICLE 109

Le présent accord ne porte pas atteinte, avant que des droits équivalents n'aient été accordés aux personnes et aux agents économiques en vertu dudit accord, aux droits qui leur sont garantis par les accords liant un ou plusieurs Etats membres, d'une part, et la Russie, d'autre part, sauf dans des domaines relevant de la compétence de la Communauté et sans préjudice des obligations des Etats membres résultant du présent accord dans des domaines relevant de leur compétence.

ARTICLE 110

Le présent accord s'applique, d'une part, aux territoires où les traités instituant la Communauté européenne, la Communauté européenne du charbon et de l'acier et la Communauté européenne de l'énergie atomique sont appliqués et dans les conditions prévues par lesdits traités et, d'autre part, au territoire de la Russie.

ARTICLE 111

Le présent accord est rédigé en double exemplaire en langues allemande, anglaise, danoise, espagnole, française, grecque, italienne, néerlandaise, portugaise et russe, tous les textes faisant également foi.

ARTICLE 112

Le présent accord est approuvé par les parties selon les procédures qui leur sont propres.

Le présent accord entre en vigueur le premier jour du deuxième mois suivant la date à laquelle les parties se notifient l'accomplissement des procédures visées au premier alinéa.

Dès son entrée en vigueur, et dans la mesure où les relations entre la Communauté et la Russie sont concernées, le présent accord remplace, sans préjudice des dispositions de l'article 22 paragraphes 1, 3 et 5, l'accord entre la Communauté économique européenne et la Communauté européenne de l'énergie atomique et l'Union des républiques socialistes soviétiques concernant le commerce et la coopération commerciale et économique signé à Bruxelles le 18 décembre 1989.

[Pour le testimonium et les signatures, voir p. 78 du présent volume.]

DONE at Corfu on the twenty-fourth day of June in the year one thousand nine hundred and ninety-four.

FAIT à Corfou, le vingt-quatre juin mil neuf cent quatre-vingt-quatorze.

[For the Kingdom of Belgium]:
Pour le Royaume de Belgique :
Voor het Koninkrijk België:
Für das Königreich Belgien:

[JEAN-LUC DEHAENE]¹

På Kongeriget Danmarks vegne
[For the Kingdom of Denmark:]
[Pour le Royaume du Danemark :]

[POUL NYRUP RASMUSSEN]

Für die Bundesrepublik Deutschland:
[For the Federal Republic of Germany:]
[Pour la République fédérale d'Allemagne :]

[HELMUT KOHL]

Για την Ελληνική Δημοκρατία:
[For the Hellenic Republic:]
[Pour la République hellénique :]

[ANDREAS PAPANDREOU]

Por el Reino de España:
[For the Kingdom of Spain:]
[Pour le Royaume d'Espagne :]

[FELIPE GONZALES MARQUEZ]

Pour la République française :
[For the French Republic:]

[EDOUARD BALLADUR]

Thar cheann Na hÉireann:
For Ireland:
[Pour l'Irlande :]

[ALBERT REYNOLDS]

¹ Names of signatories appearing between brackets were not legible and have been supplied by the Council of the European Union — Les noms des signataires donnés entre crochets étaient illisibles et ont été fournis par le Conseil de l'Union européenne.

Per la Repubblica italiana:
[For the Italian Republic:]
[Pour la République italienne :]

[SYLVIO BERLUSCONI]

Pour le Grand-Duché de Luxembourg :
[For the Grand Duchy of Luxembourg:]

[JEAQUES SANTER]

Voor het Koninkrijk der Nederlanden:
[For the Kingdom of the Netherlands:]
[Pour le Royaume des Pays-Bas :]

[RUUD F. M. LUBBERS]

Pela República Portuguesa:
[For the Portuguese Republic:]
[Pour la République portugaise :]

[ANIBAL CAVACO SILVA]

For the United Kingdom of Great Britain and Northern Ireland:
[Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :]

[JOHN MAJOR]

Por las Comunidades Europeas:
For De Europæiske Fællesskaber:
Für die Europäischen Gemeinschaften:
Για τις Ευρωπαϊκές Κοινότητες:
For the European Communities:
Pour les Communautés européennes :
Per le Comunità europea:
Voor de Europese Gemeenschappen:
Pelas Comunidades Europeias:

[ANDREAS PAPANDEOU]

[JACQUES DELORS]

За Российскую Федерацию:
[For the Russian Federation:]
[Pour la Fédération de Russie :]

[BORIS ELTSINE]

LISTE DES ANNEXES

- Annexe 1 : Liste indicative des avantages accordés par la Russie aux Etats de l'ancienne URSS dans les domaines couverts par le présent accord (situation : janvier 1994)
- Annexe 2 : Dérogations aux dispositions de l'article 15 (restrictions quantitatives)
- Annexe 3 : Réserves formulées par la Communauté en application des dispositions de l'article 28 paragraphe 2
- Annexe 4 : Réserves formulées par la Russie en application des dispositions de l'article 28 paragraphe 3
- Annexe 5 : Prestation transfrontalière de services
Liste des services pour lesquels les parties accordent le traitement de la nation la plus favorisée
- Annexe 6 : Définitions concernant les services financiers
- Annexe 7 : Services financiers
- Annexe 8 : Dispositions relatives aux articles 34 et 38
- Annexe 9 : Période transitoire pour les dispositions relatives à la concurrence et pour l'introduction de restrictions quantitatives
- Annexe 10 : Protection de la propriété intellectuelle, industrielle et commerciale visée à l'article 54

LISTE DES PROTOCOLES

- Protocole 1 sur l'institution d'un groupe de contact pour le charbon et l'acier
- Protocole 2 sur l'assistance administrative mutuelle en vue de l'application correcte de la législation douanière

ANNEXE 1

**Liste indicative des avantages accordés par la Russie
aux Etats de l'ancienne URSS dans les domaines couverts par le présent accord
(situation : janvier 1994)**

Les avantages accordés bilatéralement en vertu d'accords conclus ou d'usages établis entre les parties sont énumérés ci-après.

1. Droits à l'importation et à l'exportation

Les parties ne prélèvent pas de droits à l'importation. Aucun droit à l'exportation n'est perçu sur les marchandises fournies en vertu d'accords bilatéraux annuels de commerce et de coopération, conformément à la nomenclature et dans les limites des volumes fixés par ces mêmes accords, à titre d'"exportations destinées à couvrir les besoins de l'Etat fédéral" au sens donné à ces termes par le droit russe. Aucune TVA n'est appliquée aux importations. Aucune accise n'est appliquée aux importations.

2. Attribution des contingents et procédures de délivrance des licences

Les contingents d'exportation fixés pour les produits russes fournis dans le cadre d'accords bilatéraux annuels de commerce et de coopération sont ouverts dans les mêmes conditions que ceux qui sont fixés pour les "fournitures de produits destinés à couvrir les besoins de l'Etat."

3. Des conditions spéciales s'appliquent à diverses activités bancaires et financières (établissement, exploitation, etc.), aux mouvements de capitaux et aux paiements courants, à l'accès aux valeurs mobilières, etc.

4. Régime de prix en ce qui concerne les exportations russes de certaines catégories de matières premières et de produits finis (charbon, pétrole brut, gaz naturel, produits pétroliers raffinés).

Les prix sont calculés sur la base des cours mondiaux moyens correspondants, convertis en roubles ou dans la devise nationale concernée au taux pratiqué par la Banque centrale de Russie le 15 du mois précédant le mois d'exportation.

5. Conditions de transport et de transit

Pour les pays de la Communauté d'Etats indépendants qui sont parties à l'Accord multilatéral sur les principes et conditions régissant les relations dans le domaine du transport et/ou sur la base d'accords bilatéraux en matière de transport et de transit, il n'est pas perçu, sous réserve de réciprocité, de taxes ou autres droits sur le transport et le dédouanement des marchandises (y compris les marchandises en transit) et sur le transit des véhicules.

6. Services de communication, notamment services postaux, services de courrier, télécommunications, services audiovisuels et autres.
7. Accès aux systèmes d'information et aux bases de données.

ANNEXE 2

Dérogations aux dispositions de l'article 15 (restrictions quantitatives)

1. La Russie est autorisée à prendre des mesures exceptionnelles qui dérogent aux dispositions de l'article 15 pour appliquer de manière non discriminatoire des restrictions quantitatives dans les conditions définies à l'article XIII du GATT. Elle ne peut prendre de telles mesures qu'après la fin de la première année civile suivant la signature de l'accord.
2. La Russie ne peut prendre ces mesures que dans les circonstances visées à l'annexe 9.
3. La valeur totale des importations qui font l'objet de ces mesures ne peut pas représenter, par rapport à celle des importations totales de biens originaires de la Communauté, plus de
 - 10 % au cours des deuxième et troisième années civiles suivant la signature de l'accord,
 - 5 % au cours des quatrième et cinquième années civiles suivant la signature de l'accord,
 - 3 % au cours des années suivantes, jusqu'à l'accession de la Russie au GATT/à l'OMC.

Les pourcentages ci-dessus sont fixés par référence à la valeur des biens originaires de la Communauté importés par la Russie au cours de la dernière année qui précède l'introduction de restrictions quantitatives pour laquelle des statistiques sont disponibles.

Il est interdit de tourner ces dispositions par le relèvement des droits prélevés sur les marchandises importées.

4. La Russie n'appliquera pas de telles mesures après son accession au GATT/à l'OMC, à moins qu'il n'en soit disposé autrement dans le protocole d'accession de la Russie au GATT/à l'OMC.

5. La Russie informe le conseil de coopération de toute mesure qu'elle compte adopter en vertu des dispositions de la présente annexe et, à la demande de la Communauté, des consultations sont organisées au sein du conseil de coopération au sujet de telles mesures, avant qu'elles ne soient prises, et des secteurs auxquels elles s'appliquent.

ANNEXE 3

Réserves formulées par la Communauté en application des dispositions de l'article 28 paragraphe 2

Secteur minier

Dans certains Etats membres, l'exploitation des ressources minières et minérales par des sociétés qui ne sont pas contrôlées par des intérêts communautaires peut être soumise à l'obtention d'une concession.

Pêche

L'accès aux ressources biologiques et aux zones de pêche situées dans les eaux maritimes qui relèvent de la souveraineté ou de la juridiction des Etats membres de la Communauté, ainsi que leur exploitation, sont réservés aux bateaux de pêche battant pavillon d'un Etat membre et immatriculés sur le territoire de la Communauté, sauf dispositions contraires.

Achat de propriétés foncières

L'achat de propriétés foncières est réglementé dans certains Etats membres.

Services audiovisuels, y compris la radio

Le traitement national en ce qui concerne la production et la distribution, notamment la radiodiffusion et les autres formes de diffusion publique, peut être réservé à des oeuvres audiovisuelles répondant à certains critères d'origine.

Services de télécommunications, y compris les services mobiles et par satellite

Services réservés.

Dans certains Etats membres, l'accès au marché des infrastructures et des services complémentaires est réglementé.

Services professionnels

Services réservés aux personnes physiques ressortissantes des Etats membres. Ces personnes peuvent, dans certaines conditions, créer des sociétés.

Agriculture

Le traitement national n'est pas applicable, dans certains Etats membres, aux sociétés qui ne sont pas contrôlées par des intérêts communautaires et qui souhaitent mettre une entreprise agricole sur pied. L'achat de vignobles par une société qui n'est pas contrôlée par des intérêts communautaires est subordonné à une procédure de notification ou, le cas échéant, à une autorisation.

Services d'agences de presse

Dans certains Etats membres, la participation étrangère est limitée dans des sociétés d'édition, de télévision ou de radiodiffusion.

ANNEXE 4**Réserves formulées par la Russie en application des dispositions
de l'article 28 paragraphe 3****Utilisation du sous-sol et des ressources naturelles, notamment des ressources minières**

1. L'exploitation de certains minerais et métaux par des sociétés qui ne sont pas contrôlées par des intérêts russes peut être soumise à l'obtention d'une concession.
2. L'accès à certaines procédures d'appels d'offres portant sur l'utilisation du sous-sol et des ressources naturelles, à l'intention des petites entreprises ou des entreprises de défense en cours de "démilitarisation", peut être refusé aux sociétés qui ne sont pas contrôlées par des intérêts russes.

Pêche

La pêche est interdite sans autorisation des autorités nationales compétentes.

Achat et courtage de propriétés foncières (biens immeubles)

- a) Les sociétés qui ne sont pas contrôlées par des intérêts russes ne sont pas autorisées à acheter des terrains. Elles peuvent toutefois en louer pour des périodes qui n'excèdent pas 49 ans.
- b) Par dérogation aux dispositions du point a), les sociétés qui ne sont pas contrôlées par des intérêts russes peuvent acheter des terrains si la qualité d'acheteur leur a été reconnue par la loi russe sur la privatisation des entreprises d'Etat et des entreprises communales de la Fédération de Russie ou par d'autres lois ou règlements, notamment ceux qui régissent les programmes de privatisation,
 - dans le cadre de la privatisation d'entreprises d'Etat et d'entreprises communales en participant à des appels d'offres portant sur des investissements commerciaux,
 - dans le cadre de l'extension d'entreprises existantes ou de la création supplémentaire d'entreprises en participant à des appels d'offres portant sur des investissements commerciaux.

Télécommunications

L'accès aux services de télécommunications, notamment aux services mobiles et aux services par satellite, ainsi que la construction, l'installation, l'exploitation et l'entretien du matériel de communication sont limités.

Moyens de communication de masse

La participation étrangère dans les sociétés de communication de masse fait l'objet de certaines limitations.

Activités professionnelles

L'accès à certaines activités est interdit ou limité pour les personnes physiques qui ne sont pas des ressortissants russes ou ne leur est accordé que sous certaines conditions.

Location de biens fédéraux

La location de biens fédéraux dont la valeur excède 100 millions de roubles à des sociétés à participation étrangère s'effectue avec la permission de l'autorité nationale chargée de la gestion de ces biens. Le plafond sera relevé et exprimé en monnaie convertible.

ANNEXE 5**Prestation transfrontalière de services****Liste des services pour lesquels les parties accordent
le traitement de la nation la plus favorisée (NPF)****a) Secteurs couverts selon la classification centrale de produits (CPC) provisoire de
l'Organisation des Nations Unies**

**Services d'expertise concernant la vérification comptable : partie de CPC 86212
autre que les services d'audit**

Services d'expertise concernant la tenue de livres CPC 86220

Services d'ingénierie CPC 8672

Services intégrés d'ingénierie CPC 8673

Services de conseils et d'établissement d'avant-projets d'architecture CPC 86711

Services d'établissement de plans d'architecture CPC 86712

Services d'aménagement urbain et d'architecture paysagère CPC 8674

Services informatiques et services connexes :

**Services d'expertise en matière d'installation des matériels informatiques
CPC 841**

Services de réalisation de logiciels CPC 842

Services de base de données CPC 844

Services de publicité CPC 871

Services d'études de marché et de sondages CPC 864

Services d'expertise en matière de gestion CPC 866

Services d'essais et d'analyses techniques CPC 8676

**Services de conseils et d'expertise en matière d'agriculture, de chasse et de
sylviculture**

Services de conseils et d'expertise en matière de pêche

Services de conseils et d'expertise concernant les industries extractives

Publication et impression CPC 88442

Services de convention

Services de traduction CPC 87905

Services de décoration intérieure CPC 87907

Télécommunications :

Services à valeur ajoutée incluant (sans y être limité) le courrier électronique, les messageries vocales, l'accès direct aux informations et aux bases de données, le traitement des données, l'EDI, le transcodage et la conversion de protocoles

Services de données à commutation par paquets et de circuits

Travaux et ouvrages de construction : étude de sites CPC 5111

Franchisage CPC 8929

Services d'enseignement par correspondance pour adultes : partie de CPC 924

Services d'agences de presse CPC 962

Services de location simple ou en crédit-bail sans chauffeur ou opérateur concernant d'autres matériels de transport (CPC 83101 véhicules automobiles, CPC 83102 véhicules utilitaires, CPC 83105) et concernant d'autres machines et matériels (CPC 83106, 83107, 83108, 83109)

Services de courtage et de commerce de gros portant sur l'importation et l'exportation (partie de CPC 626 et 622)

Recherche et développement en logiciels

Réassurance et rétrocession et services auxiliaires de l'assurance tels que service de conseils, d'actuariat, d'évaluation des risques et de règlement des sinistres.

Assurance

- i) Assurance des risques inhérents au transport par mer, au transport par air, aux lancements spatiaux et au fret (y compris les satellites), couvrant les personnes transportées, les marchandises exportées ou importées, les véhicules transportant les marchandises et les autres responsabilités connexes,
 - ii) assurance des marchandises en transit international, et
 - iii) assurance accident et maladie, assurance en responsabilité civile en cas de déplacements transfrontaliers
- b) services de traitement de données CPC 843.
Fourniture et transfert d'informations financières et traitement de données financières (cf. points B11 et B12 de l'annexe 6).

Les services visés au point b) bénéficieront du régime NPF, sans préjudice des dispositions de l'article 38 et de la partie A de l'annexe 8.

ANNEXE 6**Définitions concernant les services financiers**

On entend par "services financiers", tout service à caractère financier proposé par les prestataires d'une des parties assurant de tels services. Les services financiers recouvrent les activités suivantes :

A. Tous les services d'assurance et activités assimilées

1. Assurance directe (y compris la co-assurance) :
 - i) vie
 - ii) non vie.
2. Réassurance et rétrocession.
3. Activités des intermédiaires de l'assurance, tels que courtiers et agents.
4. Services auxiliaires de l'assurance, tels que services de conseils, d'actuariat, d'évaluation des risques et de règlement des sinistres.

B. Les services bancaires et autres services financiers (à l'exclusion de l'assurance)

1. Acceptation de dépôts et d'autres fonds remboursables du public
2. Prêts de toutes natures, notamment le crédit à la consommation, le crédit hypothécaire, l'affacturage et le financement d'opérations commerciales.
3. Crédit-bail financier.

4. Tous les services de paiements et de transferts monétaires, tels que cartes de crédit ou de débit, chèques de voyages et chèques bancaires.
5. Garanties et engagements.
6. Interventions pour compte propre, ou pour le compte de clients, soit sur le marché boursier, le marché hors cote ou autres, à savoir :
 - a) instruments du marché monétaire (chèques, traites, certificats de dépôt, etc.) ;
 - b) devises ;
 - c) produits dérivés, à savoir, entre autres, contrats à terme et options ;
 - d) instruments liés aux taux de change et taux d'intérêt, dont les produits tels que contrats d'échange, contrats de taux futurs, etc. ;
 - e) titres transmissibles ;
 - f) autres instruments et actifs financiers négociables, notamment or et argent en lingots.
7. Participation aux émissions de titres de toutes natures, notamment souscriptions, placements (privés ou publics) en qualité d'agent et prestation de services se rapportant à ces émissions.
8. Courtage de change.
9. Gestion de patrimoine, notamment gestion de trésorerie ou de portefeuille, toutes formes de gestion de placements collectifs, gestion de fonds de pension, services de garde, de dépôt ou de consignation.

10. Services de règlement et de compensation d'actifs financiers tels que titres, instruments dérivés et autres instruments négociables.
11. Communication et transfert d'informations financières, activités de traitement de données financières et fourniture de logiciels spécialisés par les prestataires d'autres services financiers.
12. Services de conseils et autres services financiers auxiliaires se rapportant aux différentes activités énumérées aux points 1 à 11, y compris informations et évaluations sur dossiers de crédit, recherches et conseils pour placements et constitution de portefeuilles, conseils relatifs aux prises de participation, restructurations et stratégies de sociétés.

Sont exclues de la définition des services financiers les activités suivantes :

- a) activités exercées par les banques centrales ou d'autres institutions publiques dans le cadre de politiques monétaires et de taux de change ;
- b) activités assurées par les banques centrales, les organismes, administrations ou institutions publics pour le compte ou sous la caution du gouvernement, sauf dans les cas où ces activités peuvent être exercées par des prestataires de services financiers concurrents de ces collectivités publiques ;
- c) activités s'inscrivant dans un système officiel de sécurité sociale ou de pension de vieillesse, sauf dans les cas où ces activités peuvent être exercées par des prestataires de services financiers concurrents de collectivités publiques ou d'institutions privées.

ANNEXE 7

Services financiers

A. Pour les services bancaires visés à l'annexe 6 partie B, le traitement de la nation la plus favorisée accordé en vertu de l'article 28 paragraphe 1 pour l'établissement uniquement par la création d'une filiale (à l'exclusion par conséquent de l'établissement par la création d'une succursale) et le traitement national accordé en vertu de l'article 28 paragraphe 3 par la Russie consistent en un traitement non moins favorable que le traitement accordé par la Russie à ses propres sociétés, sous réserve des exceptions ci-après.

1. La Russie se réserve le droit

- a) de continuer à appliquer aux filiales et succursales russes de sociétés communautaires le plafond limitant la part globale des capitaux étrangers dans le système bancaire russe en vigueur à la date de la signature de l'accord ;
- b) d'appliquer aux filiales russes de sociétés communautaires un ratio minimum de fonds propres plus élevé que celui appliqué à ses propres sociétés à condition que ce ratio minimum de fonds propres ne soit pas relevé par rapport à celui en vigueur à la date de la signature de l'accord avant que le traitement national ne lui soit appliqué ;
- c) de restreindre le nombre de succursales de filiales russes de sociétés communautaires ;
- d) de fixer un montant minimum de 55 000 écus au maximum pour les soldes des comptes détenus par toute personne physique auprès de filiales russes de sociétés communautaires ;
- e) d'interdire aux filiales russes de sociétés communautaires d'effectuer des transactions portant sur des actions ou des instruments convertibles en actions de sociétés russes par actions ;

f) d'interdire aux filiales russes de sociétés communautaires d'effectuer des transactions avec des résidents russes.

2. Les exceptions prévues au point 1 ne peuvent s'appliquer que :

- i) si elles le sont aux filiales des sociétés de tous les pays, et
- ii) pour les exceptions visées au point 1 sous c), d) et e),
 - a) au plus tard jusqu'à l'expiration d'une période de cinq ans à compter de la signature de l'accord pour les exceptions mentionnées sous c) et d) et de trois ans pour l'exception mentionnée sous e), et
 - b) lorsque la proportion du capital de la filiale russe de la société communautaire détenue par des ressortissants ou des sociétés russes n'excède pas cinquante pour cent (50 %), et
 - c) aux filiales russes de sociétés communautaires établies après l'entrée en vigueur de ces exceptions ;
- iii) pour l'exception mentionnée au point 1 sous f), jusqu'au 1^{er} janvier 1996 et uniquement aux filiales russes de sociétés communautaires établies après le 15 novembre 1993 ou qui n'ont pas commencé leurs opérations avec des résidents russes avant le 15 novembre 1993.

3. a) A l'expiration d'une période de cinq ans à compter de la date de la signature de l'accord, la Russie envisagera la possibilité :

- i) de relever le plafond limite de la part globale des capitaux étrangers dans le système bancaire russe en vigueur à la date de la signature du présent accord, visé au point 1 sous a), en tenant compte de toutes les considérations pertinentes d'ordre monétaire, fiscal, financier ou liées à la balance des paiements et de l'état du système bancaire en Russie ;

- ii) de réduire le ratio minimum de fonds propres visé au point 1 sous b), en tenant compte de toutes les considérations pertinentes d'ordre monétaire, fiscal, financier ou liées à la balance des paiements et de l'état du système bancaire en Russie.
 - b) A l'expiration d'une période de trois ans à compter de la signature du présent accord, la Russie envisagera d'assouplir les restrictions visées au point 1 sous c) et d), en tenant compte de toutes les considérations pertinentes d'ordre monétaire, fiscal, financier ou liées à la balance des paiements et de l'état du système bancaire en Russie.
- B. Pour les services d'assurance visés à l'annexe 6 partie A points 1 et 2, le traitement de la nation la plus favorisée accordé en vertu de l'article 28 paragraphe 1 pour l'établissement uniquement par la création d'une filiale, autorisée à effectuer des opérations d'assurance, est celui prévu par la législation et les réglementations applicables en Russie le jour de l'établissement et il s'applique aux conditions suivantes :
1. au plus tard à l'expiration d'une période de cinq ans à compter de la signature de l'accord, la Russie abolira la limite maximum de participation étrangère de 49 % dans le capital de la société ;
 2. au cours de la période transitoire de cinq ans, l'abolition de la limite maximum de la participation étrangère ne fait pas obstacle à ce que la Russie adopte des mesures en vue de l'octroi de licences à des sociétés communautaires pour certaines catégories d'assurances. Ces mesures ne pourront être prises que dans le domaine des régimes obligatoires d'assurance sociale ou des marchés publics ou pour les raisons décrites à l'article 29 paragraphe 2 et ne pourront réduire à néant ni compromettre substantiellement les effets de l'abolition de la limite maximum de la participation étrangère de 49 %.

ANNEXE 8**Dispositions relatives aux articles 34 et 38****Partie A**

Les consultations commencent dans les trente jours à compter de l'introduction de la demande par la première partie. Elles sont menées en vue de parvenir à un accord sur :

- le retrait par l'autre partie des mesures qui ont abouti à rendre les conditions nettement plus restrictives, ou
- les ajustements des obligations des deux parties, ou
- les ajustements opérés par la première partie afin de compenser les conditions nettement plus restrictives imposées par l'autre partie.

Si aucun accord n'est intervenu dans les soixante jours à compter de la demande de consultation introduite par la première partie, cette dernière peut procéder aux ajustements compensatoires appropriés de ses obligations. La portée et la durée de ces ajustements doivent être limitées à ce qui est nécessaire pour tenir compte des conditions nettement plus restrictives imposées par l'autre partie. La priorité doit aller aux mesures qui perturbent le moins le fonctionnement de l'accord. Les droits acquis par les opérateurs économiques en vertu de l'accord à la date de ces ajustements ne sont pas affectés par ces derniers.

Partie B

1. Dans un esprit de partenariat et de coopération, le gouvernement de Russie informe la Communauté, au cours d'une période transitoire de trois ans à compter de la date de la signature de l'accord, de son intention de proposer de nouvelles lois ou d'adopter de nouveaux règlements susceptibles de rendre les conditions d'établissement ou d'activité des filiales et succursales russes de sociétés communautaires plus restrictives qu'elles ne l'étaient le jour précédant la date de la signature de l'accord. La Communauté peut demander à la Russie de lui communiquer les projets relatifs à ces lois ou règlements et entamer des consultations à ce sujet.

2. Si des lois ou règlements nouveaux adoptés en Russie au cours de la période de transition visée au point 1 ont pour effet de rendre les conditions d'exploitation de filiales et de succursales russes de sociétés communautaires plus restrictives qu'elles ne l'étaient le jour de la signature de l'accord, ces lois ou règlements ne s'appliquent pas aux filiales et succursales déjà établies en Russie au moment de l'entrée en vigueur de l'acte en cause et ce jusqu'à l'expiration d'une période de trois ans à compter de cette entrée en vigueur.

ANNEXE 9**Période transitoire pour les dispositions relatives à la concurrence
et pour l'introduction de restrictions quantitatives**

Les circonstances visées à l'article 53 paragraphe 2.3 et à l'annexe 2 point 2 s'entendent pour les secteurs de l'économie russe qui :

- font l'objet d'une restructuration, ou
- rencontrent de graves difficultés, en particulier lorsque ces dernières entraînent de graves problèmes sociaux en Russie, ou
- sont confrontés à la perte ou à la réduction sensible de la part totale de marché détenue par les sociétés ou les ressortissants russes dans un secteur donné en Russie, ou
- regroupent des industries naissantes en Russie.

ANNEXE 10

Protection de la propriété intellectuelle, industrielle et commerciale visée à l'article 54

1. La Russie continue à améliorer la protection des droits de propriété intellectuelle, industrielle et commerciale afin de garantir, à la fin de la cinquième année à compter de l'entrée en vigueur de l'accord, un niveau de protection analogue à celui qui existe dans la Communauté et, notamment, des moyens efficaces pour faire respecter ces droits.

2. A la fin de la cinquième année à compter de l'entrée en vigueur de l'accord, la Russie adhère aux conventions multilatérales sur les droits de propriété intellectuelle, industrielle et commerciale auxquels les Etats membres sont parties ou qui s'appliquent de facto dans les Etats membres, conformément aux dispositions pertinentes desdites conventions :
 - Convention de Berne pour la protection des oeuvres littéraires et artistiques (acte de Paris, 1971)¹ ;

 - Convention internationale sur la protection des artistes interprètes ou exécutants, des producteurs de phonogrammes et des organismes de radiodiffusion (Rome, 1961)² ;

 - Convention internationale pour la protection des obtentions végétales (acte de Genève, 1978)³.

3. Le conseil de coopération peut recommander que le point 2 de la présente annexe s'applique également à d'autres conventions multilatérales.

¹ Nations Unies, *Recueil des Traités*, vol. 1161, p. 3.

² *Ibid.*, vol. 496, p. 43.

³ *Ibid.*, vol. 1861, p. 281.

4. Dès l'entrée en vigueur du présent accord, la Russie accorde aux sociétés et ressortissants de la Communauté, en ce qui concerne la reconnaissance et la protection de la propriété intellectuelle, industrielle et commerciale, un traitement non moins favorable que celui qu'elle réserve à un quelconque pays tiers dans le cadre d'un accord bilatéral.

5. Les dispositions du point 4 ne s'appliquent pas aux avantages accordés par la Russie à un pays tiers sur une base de réelle réciprocité, ni aux avantages accordés par la Russie à un autre pays de l'ancienne URSS.

PROTOCOLE 1
SUR L'INSTITUTION D'UN GROUPE DE CONTACT
POUR LE CHARBON ET L'ACIER

1. Un groupe de contact est institué entre les parties. Il est composé de représentants de la Communauté et de la Russie.
2. Le groupe de contact échange des informations sur la situation des industries du charbon et de l'acier dans les deux territoires et sur les échanges entre ces derniers, notamment afin d'identifier les problèmes éventuels.
3. Le groupe de contact examine également la situation des industries du charbon et de l'acier au niveau mondial, y compris l'évolution des échanges internationaux.
4. Le groupe de contact échange toute information utile sur la structure des industries concernées, le développement de leur capacité de production, les progrès de la science et de la recherche dans les domaines concernés et l'évolution de l'emploi. Le groupe examine également les problèmes de pollution et d'environnement.
5. Le groupe de contact examine aussi les progrès réalisés dans le cadre de l'assistance technique entre les parties, y compris l'assistance à la gestion financière, commerciale et technique.
6. Le groupe de contact échange toute information pertinente sur les attitudes adoptées ou à adopter au sein des organisations et enceintes internationales appropriées.
7. Lorsque les deux parties conviennent que la présence et/ou la participation de représentants des industries est opportune, le groupe de contact est élargi de manière à les intégrer.
8. Le groupe de contact se réunit deux fois par an, alternativement sur le territoire de chaque partie.
9. La présidence du groupe de contact est exercée à tour de rôle par un représentant de la Commission des Communautés européennes et un représentant du gouvernement de la Fédération de Russie

PROTOCOLE 2
SUR L' ASSISTANCE ADMINISTRATIVE MUTUELLE
EN VUE DE L'APPLICATION CORRECTE DE LA LEGISLATION DOUANIERE

ARTICLE PREMIER

Définitions

Aux fins du présent protocole, on entend par :

- a) "législation douanière", les dispositions applicables sur les territoires des parties régissant l'importation, l'exportation, le transit des marchandises et leur placement sous tout autre régime douanier, y compris les mesures d'interdiction, de restriction et de contrôle adoptées par les parties ;
- b) "droits de douane", l'ensemble des droits, taxes, redevances ou impositions diverses qui sont prélevés et perçus sur le territoire des parties en application de la législation douanière, à l'exclusion des redevances et impositions dont le montant est limité au coût approximatif des services rendus ;
- c) "autorité requérante", une autorité administrative compétente qui a été désignée à cette fin par une partie et qui formule une demande d'assistance en matière douanière ;
- d) "autorité requise", une autorité administrative compétente qui a été désignée à cette fin par une partie et qui reçoit une demande d'assistance en matière douanière ;
- e) "infraction", toute violation de la législation douanière ainsi que toute tentative de violation de cette législation.

ARTICLE 2

Portée

1. Les parties se prêtent mutuellement assistance, de la manière et dans les conditions prévues par le présent protocole, pour garantir que la législation douanière est correctement appliquée, notamment en prévenant et en décelant les infractions à cette législation et en menant des enquêtes à leur sujet.

2. L'assistance en matière douanière prévue par le présent protocole s'applique à toute autorité administrative des parties qui est compétente pour l'application du présent protocole. Elle ne préjuge pas les dispositions régissant l'assistance mutuelle en matière pénale. De même, elle ne s'applique pas aux renseignements et aux documents recueillis en vertu de pouvoirs exercés à la demande des autorités judiciaires, sauf accord de ces autorités.

ARTICLE 3

Assistance sur demande

1. Sur demande de l'autorité requérante, l'autorité requise communique à celle-ci tout renseignement utile lui permettant de s'assurer que la législation douanière est correctement appliquée, y compris les renseignements concernant des opérations constatées ou projetées qui constituent, semblent constituer ou sont susceptibles de constituer une infraction à cette législation.

2. Sur demande de l'autorité requérante, l'autorité requise informe celle-ci sur le point de savoir si les marchandises exportées du territoire de l'une des parties ont été régulièrement introduites sur le territoire de l'autre partie, en précisant, le cas échéant, le régime douanier sous lequel ces marchandises ont été placées.

3. Sur demande de l'autorité requérante, l'autorité requise prend les mesures nécessaires pour s'assurer qu'une surveillance est exercée sur :
- a) des personnes physiques ou morales dont il y a raisonnablement lieu de croire qu'elles commettent ou ont commis des infractions à la législation douanière ;
 - b) les lieux dans lesquels des marchandises sont entreposées dans des conditions qui autorisent raisonnablement à penser qu'elles seront utilisées pour des opérations contraires à la législation douanière de l'autre partie ;
 - c) les mouvements de marchandises signalées comme pouvant donner lieu à des infractions graves à la législation douanière ;
 - d) les moyens de transport dont il y a raisonnablement lieu de croire qu'ils ont été, sont ou peuvent être utilisés pour commettre des infractions à la législation douanière.

ARTICLE 4

Assistance spontanée

Dans les domaines relevant de leurs compétences, les parties se prêtent mutuellement assistance, sans demande préalable, si elles considèrent que cela est nécessaire à l'application correcte de la législation douanière, en particulier lorsqu'elles obtiennent des renseignements se rapportant :

- à des opérations constatées ou projetées qui constituent, semblent constituer ou sont susceptibles de constituer une infraction à cette législation ;
- aux nouveaux moyens ou méthodes utilisés pour effectuer ces opérations ;
- aux marchandises dont on sait qu'elles donnent lieu à une infraction grave à la législation douanière régissant l'importation, l'exportation, le transit ou le placement sous tout autre régime douanier.

ARTICLE 5

Forme et substance des demandes d'assistance

1. Les demandes au titre du présent protocole sont formulées par écrit. Les documents nécessaires pour permettre de répondre à ces demandes accompagnent la demande. Lorsque l'urgence de la situation l'exige, les demandes présentées verbalement peuvent être acceptées, mais elles doivent être immédiatement confirmées par écrit.
2. Les demandes présentées conformément au paragraphe 1 sont accompagnées des renseignements suivants :
 - a) l'autorité requérante qui présente la demande ;
 - b) la mesure requise ;
 - c) l'objet et le motif de la demande ;
 - d) la législation, les règles et autres éléments juridiques concernés ;
 - e) des indications aussi exactes et complètes que possible sur les personnes physiques ou morales qui font l'objet des enquêtes ;
 - f) un résumé des faits pertinents.
3. Les demandes sont établies dans une langue officielle de l'autorité requise ou dans une langue acceptable pour cette autorité.
4. Si une demande ne répond pas aux conditions formelles, il est possible de demander qu'elle soit corrigée ou complétée ; des mesures conservatoires peuvent cependant être ordonnées.

ARTICLE 6

Exécution des demandes

1. Les demandes d'assistance sont exécutées conformément à la législation, aux règles et aux autres instruments juridiques de la partie requise.
2. Pour répondre à une demande d'assistance, l'autorité requise procède, dans les limites de ses compétences et des ressources disponibles, comme si elle agissait pour son propre compte ou à la demande d'autres autorités de la même partie, en fournissant les renseignements dont elle dispose déjà et en procédant ou faisant procéder aux enquêtes appropriées.
3. Les fonctionnaires dûment autorisés d'une partie peuvent, avec l'accord de l'autre partie en cause et dans les conditions prévues par celle-ci, recueillir, dans les bureaux de l'autorité requise ou d'une autre autorité dont celle-ci est responsable, des renseignements relatifs à l'infraction à la législation douanière dont l'autorité requérante a besoin aux fins du présent protocole.
4. Dans des cas particuliers, les fonctionnaires d'une partie peuvent, avec l'accord de l'autre partie et dans les conditions prévues par cette dernière, assister aux enquêtes menées sur le territoire de cette dernière.
5. Les fonctionnaires d'une partie qui, dans les cas prévus par le présent protocole, assistent aux enquêtes menées sur le territoire de l'autre partie doivent à tout moment pouvoir justifier de leur qualité. Il leur est interdit de porter un uniforme et des armes.

ARTICLE 7

Forme sous laquelle les renseignements doivent être communiqués

1. Dans les conditions et les limites prévues par le présent protocole, les parties se communiquent les renseignements sous la forme de documents, de copies certifiées conformes de documents, de rapports et de pièces similaires.

2. Les documents et dossiers originaux ne sont transmis, sur demande, que si des copies certifiées conformes ne suffisent pas. Ces documents et dossiers sont renvoyés dans les meilleurs délais.

3. Les documents visés au paragraphe 1 peuvent être remplacés par des informations produites, sous quelque forme que ce soit et aux mêmes fins, par le moyen de l'informatique. Toutes les informations nécessaires au traitement des documents sont fournies sur demande.

ARTICLE 8

Dérogations à l'obligation de prêter assistance

1. Les parties peuvent refuser de prêter assistance au titre du présent protocole ou ne prêter assistance qu'en partie ou dans certaines conditions si une telle assistance :

a) est susceptible de porter atteinte à leur souveraineté, à l'ordre public, à leur sécurité ou à d'autres intérêts essentiels

ou

b) implique la violation d'un secret industriel, commercial ou professionnel.

2. Si l'autorité requérante sollicite une assistance qu'elle ne pourrait pas elle-même fournir si une autre partie le lui demandait, elle attire l'attention sur ce fait dans sa demande. Il appartient alors à l'autorité requise de décider de la manière dont elle doit répondre à cette demande.

3. Si l'assistance est refusée, la décision et les raisons qui l'expliquent doivent être notifiées sans délai par écrit à l'autorité requérante.

ARTICLE 9

Obligation de respecter la confidentialité

1. Tout renseignement communiqué, sous quelque forme que ce soit, en application du présent protocole revêt un caractère confidentiel. Il est couvert par le secret professionnel et bénéficie de la protection accordée à des renseignements semblables par la législation applicable en la matière sur le territoire de la partie qui l'a reçu, ainsi que par les dispositions correspondantes s'appliquant aux institutions communautaires.

2. Les données nominatives ne sont pas communiquées lorsqu'il y a raisonnablement lieu de croire que la transmission ou l'utilisation faite des données transmises serait contraire aux principes juridiques fondamentaux d'une des parties et, en particulier, lorsque la personne concernée s'en trouverait lésée dans ses droits fondamentaux. Sur demande, la partie qui reçoit les données informe la partie qui les fournit de l'utilisation faite des renseignements fournis et des résultats obtenus.

3. Les données nominatives ne peuvent être transmises qu'aux autorités douanières et, lorsqu'elles sont nécessaires à des fins de poursuites judiciaires, au ministère public et aux autorités judiciaires. D'autres personnes ou autorités ne peuvent obtenir de telles informations que sur autorisation préalable de l'autorité qui les fournit.

4. La partie qui fournit l'information en vérifie l'exactitude. Lorsqu'il apparaît que l'information fournie était inexacte ou devait être détruite, la partie qui la reçoit en est avertie sans délai. Celle-ci est tenue de procéder à la correction ou à la destruction de cette information.

5. Sans préjudice des cas où l'intérêt public l'emporte, la personne concernée peut, sur demande, obtenir des renseignements sur les données stockées et sur l'objet de ce stockage.

ARTICLE 10

Utilisation des renseignements

1. Les renseignements recueillis ne doivent être utilisés qu'aux fins du présent protocole et ne peuvent être utilisés à d'autres fins par une partie qu'avec l'accord écrit préalable de l'autorité administrative qui les a fournis. Ils sont en outre soumis aux restrictions imposées par cette autorité.
2. Le paragraphe 1 ne fait pas obstacle à l'utilisation des renseignements dans le cadre d'actions judiciaires ou administratives engagées par la suite pour non-respect de la législation douanière.
3. Les parties peuvent faire état, à titre de preuve, dans leurs procès-verbaux, rapports et témoignages ainsi qu'au cours de procédures et poursuites devant les tribunaux, des renseignements recueillis et des documents consultés conformément aux dispositions du présent protocole.

ARTICLE 11

Experts et témoins

Un agent d'une autorité requise peut être autorisé à comparaître, dans les limites fixées par l'autorisation qui lui a été accordée, comme expert ou témoin dans le cadre d'actions judiciaires ou administratives engagées dans les domaines relevant du présent protocole, par la juridiction d'une autre partie, et à produire les objets, documents ou copies certifiées conformes de ceux-ci qui peuvent être nécessaires à la procédure. La demande de comparution doit indiquer avec précision dans quelle affaire, à quel titre et en quelle qualité l'agent sera interrogé.

ARTICLE 12**Frais d'assistance**

Les parties renoncent de part et d'autre à toute réclamation portant sur les remboursements des frais résultant de l'application du présent protocole, sauf en ce qui concerne, le cas échéant, les indemnités versées aux experts et témoins ainsi qu'aux interprètes et traducteurs qui ne dépendent pas des services publics.

ARTICLE 13**Application**

1. La gestion du présent protocole est confiée aux services compétents de la Commission des Communautés européennes et, le cas échéant, aux autorités douanières des Etats membres, d'une part et aux autorités douanières centrales de la Russie, d'autre part. Ils décident de toutes les mesures et dispositions pratiques nécessaires pour son application, en tant compte des règles en vigueur dans le domaine de la protection des données. Ils peuvent proposer au conseil de coopération les modifications qui devraient, selon eux, être apportées au présent protocole.
2. Les parties se consultent et s'informent ensuite mutuellement des modalités d'application qui sont adoptées conformément aux dispositions du présent protocole.

ARTICLE 14**Complémentarité**

1. Le présent protocole complète les accords d'assistance mutuelle qui ont été conclus entre un ou plusieurs Etats membres et la Russie et il ne fait pas obstacle à leur application. L'élargissement de l'assistance mutuelle en vertu d'accords de ce type conclus ou à conclure.

2. Sans préjudice de l'article 10, ces accords ne portent pas atteinte aux dispositions communautaires régissant la communication, entre les services compétents de la Commission et les autorités douanières des Etats membres, de tous renseignements recueillis en matière douanière susceptibles de présenter un intérêt pour la Communauté.

ACTE FINAL

Les plénipotentiaires

DU ROYAUME DE BELGIQUE,

DU ROYAUME DE DANEMARK,

DE LA REPUBLIQUE FEDERALE D'ALLEMAGNE,

DE LA REPUBLIQUE HELLENIQUE,

DU ROYAUME D'ESPAGNE,

DE LA REPUBLIQUE FRANCAISE,

DE L'IRLANDE,

DE LA REPUBLIQUE ITALIENNE,

DU GRAND-DUCHE DE LUXEMBOURG,

DU ROYAUME DES PAYS-BAS,

DE LA REPUBLIQUE PORTUGAISE,

DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD,

parties contractantes au traité instituant la COMMUNAUTE EUROPEENNE, au traité instituant la COMMUNAUTE EUROPEENNE DU CHARBON ET DE L'ACIER, et au traité instituant la COMMUNAUTE EUROPEENNE DE L'ENERGIE ATOMIQUE,

ci-après dénommés "les Etats membres", et

de la COMMUNAUTE EUROPEENNE, de la COMMUNAUTE EUROPEENNE DU CHARBON ET DE L'ACIER et de la COMMUNAUTE EUROPEENNE DE L'ENERGIE ATOMIQUE, ci-après dénommées "la Communauté",

d'une part, et

le Président de la FEDERATION DE RUSSIE, ci-après dénommée "la Russie",

d'autre part,

réunis à Corfou, le vingt-quatre juin de l'année mille neuf cent quatre-vingt-quatorze, pour la signature de l'accord de partenariat et de coopération établissant un partenariat entre les Communautés européennes et leurs Etats membres, d'une part, et la Fédération de Russie, d'autre part, dénommé ci-après "accord de partenariat et de coopération", ont adopté les textes suivants :

l'accord de partenariat et de coopération, avec ses annexes et les protocoles suivants :

Protocole 1 sur l'institution d'un groupe de contact pour le charbon et l'acier,

Protocole 2 sur l'assistance administrative mutuelle en vue de l'application correcte de la législation douanière.

Les plénipotentiaires des Etats membres et de la Communauté et le Président de la Russie ont adopté les déclarations communes suivantes annexées au présent acte final :

Déclaration commune relative au titre III et à l'article 94 de l'accord

Déclaration commune relative à l'article 10 de l'accord

Déclaration commune relative à l'article 12 de l'accord

Déclaration commune relative à l'article 17 de l'accord

Déclaration commune relative à l'article 18 de l'accord

Déclaration commune relative à l'article 22 paragraphe 1 deuxième tiret de l'accord

Déclaration commune relative à l'article 24 de l'accord

Déclaration commune relative à l'article 26, 32 et 37 de l'accord

Déclaration commune relative à l'article 28 de l'accord

Déclaration commune relative à l'article 29 paragraphe 3 de l'accord
Déclaration commune relative à l'article 30 de l'accord
Déclaration commune relative à l'article 30 points a) et g) de l'accord
Déclaration commune relative à la notion de "contrôle" figurant à l'article 30 point b) et à l'article 45 de l'accord
Déclaration commune relative à l'article 30 point h) troisième alinéa de l'accord
Déclaration commune relative à l'article 31 de l'accord
Déclaration commune relative à l'article 34 paragraphe 1 de l'accord
Déclaration commune relative aux articles 34 et 38 de l'accord
Déclaration commune relative à l'article 35 de l'accord
Déclaration commune relative à l'article 39 paragraphe 2 point c) deuxième alinéa de l'accord concernant l'ouverture des ports
Déclaration commune relative à l'article 39 paragraphe 2 point c) deuxième alinéa de l'accord concernant les navires battant pavillon d'un pays tiers
Déclaration commune relative à l'article 44 de l'accord
Déclaration commune relative à l'article 46 paragraphe 2 de l'accord
Déclaration commune relative à l'article 48 de l'accord
Déclaration commune relative à l'article 52 de l'accord
Déclaration commune relative à l'article 53 paragraphe 2.2 de l'accord
Déclaration commune relative à l'article 54 de l'accord
Déclaration commune relative à l'article 99 de l'accord
Déclaration commune relative à l'article 101 de l'accord
Déclaration commune relative à l'article 107 de l'accord
Déclaration commune relative à l'article 107 paragraphe 2 de l'accord
Déclaration commune relative aux articles 2 et 107 de l'accord
Déclaration commune relative à l'article 112 de l'accord
Déclaration commune relative à l'article 6 du protocole 2.

Les plénipotentiaires des Etats membres et de la Communauté et le Président de la Russie ont également pris acte des échanges de lettres suivants annexés au présent acte final :

Echange de lettres concernant l'article 22 de l'accord

Echange de lettres concernant l'article 52 de l'accord.

Le Président de la Russie a pris acte des déclarations suivantes annexées au présent acte final :

Déclaration de la Communauté relative à l'article 36 de l'accord

Déclaration de la Communauté relative à l'article 54 de l'accord

Les plénipotentiaires des Etats membres et de la Communauté ont pris acte de la déclaration suivante annexée au présent acte final :

Déclaration de la Russie relative à l'article 36 de l'accord.

DECLARATION COMMUNE RELATIVE AU TITRE III ET A L'article 94

Aux fins du titre III et de l'article 94, le GATT est entendu comme l'Accord général sur les tarifs douaniers et le commerce signé à Genève en 1947 tel que modifié et tel qu'appliqué à la date de la signature du présent accord, si les parties ne conviennent pas autrement dans le cadre du conseil de coopération institué au titre de l'article 90.

DECLARATION COMMUNE RELATIVE A L'article 10

Les parties conviennent que les dispositions du paragraphe 1 de l'article 10 ne s'appliquent pas aux conditions d'importation de produits sur le territoire de la Russie dans le cadre d'emprunts financiers et de crédits accordés à des fins de développement et à des fins humanitaires, d'assistance technique et humanitaire et d'autres arrangements similaires conclus entre la Russie et des Etats tiers ou des organisations internationales, dans la mesure où ces Etats ou organisations internationales demandent un traitement spécial pour ces importations.

DECLARATION COMMUNE RELATIVE A L'article 12

L'article 12, au titre III sur le commerce de marchandises, traite de la question du transit. Les parties sont convenues que l'article 12 traite exclusivement de la liberté de transit de marchandises, conformément aux pratiques normales du GATT. La question du transit peut être soulevée lors de futures négociations sur les accords de transport, ainsi que le prévoit l'article 43.

DECLARATION COMMUNE RELATIVE A L'article 17

La Communauté et la Russie déclarent que le texte de la clause de sauvegarde (article 17) ne donne pas accès au bénéfice des dispositions correspondantes du GATT.

DECLARATION COMMUNE RELATIVE A L'article 18

Il est entendu que les dispositions de l'article 18 et de l'alinéa suivant ne sont pas destinées à ralentir, entraver ou empêcher l'exécution des procédures prévues par les législations respectives des parties en matière d'enquêtes antidumping ou antisubventions.

Sans préjudice de leur législation et de leurs pratiques, les parties conviennent de tenir compte, lors de l'établissement de la valeur normale et en fonction de chaque cas, des avantages comparatifs dont peuvent faire état les fabricants concernés sur le plan, par exemple, de l'accès aux matières premières, du procédé de production, de la proximité de la production par rapport aux clients et des caractéristiques particulières du produit.

DECLARATION COMMUNE RELATIVE
A L'article 22 Paragraphe 1 DEUXIEME TIRET

En ce qui concerne la Communauté, la législation et les règlements visés à l'article 6 de l'accord de 1989 comportent notamment le traité établissant la Communauté européenne de l'énergie atomique et ses règlements d'application, en particulier les dispositions de ces textes qui précisent les droits, compétences et responsabilités de l'agence d'approvisionnement d'EURATOM et de la Commission des Communautés européennes.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 24

Il est entendu que la notion "membres de leur famille" est définie conformément à la législation nationale du pays hôte concerné.

DECLARATION COMMUNE RELATIVE AUX ARTICLES 26, 32 ET 37

Les parties font en sorte que la délivrance de visas et de permis de résidence conformes aux lois et règlements respectivement des Etats membres et de la Russie est effectuée conformément aux principes du document de clôture de la CSCE de Bonn, en particulier en vue de faciliter l'entrée rapide, le séjour et la circulation des hommes d'affaires dans les Etats membres et en Russie. Les efforts en ce sens s'appliquent en particulier au personnel de base visé à l'article 32 et aux vendeurs de services transfrontaliers visés à l'article 37 et garantissent que les procédures administratives ne réduisent pas à néant ni ne compromettent les avantages dont bénéficient les parties au titre de ces articles de l'accord.

Les parties conviennent qu'un élément important dans ce contexte est la conclusion rapide d'accords de réadmission entre les Etats membres et la Russie.

Le conseil de coopération examine régulièrement l'évolution de la situation dans ces domaines.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 28

Sans préjudice des dispositions des articles 50 et 51, les parties conviennent que les termes "conformément à leurs législations et réglementations" figurant aux paragraphes 1 et 4 de l'article 28 signifient que chaque partie peut réglementer l'établissement de sociétés par la création de filiales et de succursales telles que définies à l'article 30 et l'exploitation de succursales à condition que ces législations et réglementations n'introduisent pas de nouvelles réserves entraînant un traitement moins favorable que celui accordé aux sociétés ou succursales d'un quelconque pays tiers.

Sans préjudice des réserves figurant aux annexes 3 et 4 et des dispositions des articles 50 et 51, les parties conviennent que les termes "conformément à leurs législations et réglementations" figurant aux paragraphes 2 et 3 de l'article 28 signifient que chaque partie peut réglementer l'exploitation de sociétés implantées sur son territoire, à condition que ces législations et réglementations n'introduisent pas, en ce qui concerne l'exploitation des sociétés de l'autre partie, de nouvelles réserves entraînant un traitement moins favorable que celui accordé à leurs propres sociétés ou

DECLARATION COMMUNE RELATIVE A L'ARTICLE 29 PARAGRAPHE 3

Les parties confirment que rien dans l'article 29 paragraphe 3 n'empêche la Russie d'adopter de nouvelles réglementations ou mesures qui introduiraient ou aggraveraient la discrimination par rapport à la situation existant à la date de la signature de l'accord en ce qui concerne les conditions relatives à l'établissement de sociétés non communautaires sur son territoire par rapport à ses propres sociétés.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 30

Les parties confirment qu'il importe de garantir que l'octroi des agréments visés à l'article 30 points a) et g) :

- s'appuie sur des critères objectifs et transparents, tels que la compétence et la capacité de fournir le service ;
- ne soit pas plus lourd que nécessaire de façon à assurer la qualité du service ;
- ne constitue pas en soi une restriction à la prestation du service.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 30 POINTS a) ET g)

L'article 30 point a) deuxième alinéa et point g) deuxième alinéa tient compte de la spécificité de l'accès aux services financiers, telle que celle-ci est définie dans le cadre du présent accord, et est sans préjudice des définitions des termes "établissement" et "exploitation" telles que celles-ci s'appliquent aux services financiers à des fins autres que celles du présent accord.

**DECLARATION COMMUNE RELATIVE A LA NOTION DE "CONTROLE"
FIGURANT A L'ARTICLE 30 POINT b) ET A L'ARTICLE 45**

1. Les parties confirment qu'il est entendu que la question du contrôle dépend des circonstances de fait du cas particulier en cause.

2. Ainsi, par exemple, une entreprise est considérée comme "contrôlée" par une autre entreprise et, de ce fait, comme une filiale de celle-ci si :
 - l'autre entreprise détient directement ou indirectement la majorité des droits de vote, ou

 - l'autre entreprise a le droit de nommer ou de licencier une majorité de membres de l'organe administratif, de l'organe de gestion ou de l'organe de surveillance et si elle est en même temps actionnaire ou membre de la filiale.

3. Les deux parties considèrent que les critères énoncés au point 2 ne sont pas exhaustifs.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 30 POINT h) TROISIEME ALINEA

Compte tenu des restrictions auxquelles est actuellement soumis le transport de marchandises et de voyageurs par des moyens terrestres, les parties conviennent que, jusqu'à ce que ces restrictions soient levées, on entend par "opérations de transport intermodal comportant une partie maritime", l'organisation de ces opérations.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 31

Les dispositions de l'article 31 permettent aux parties d'appliquer toute mesure destinée à empêcher qu'une entreprise d'un pays tiers ne tourne les mesures des parties concernant l'établissement d'entreprises de ce pays tiers sur leurs territoires respectifs à l'aide de toute possibilité prévue par le présent accord.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 34 PARAGRAPHE 1

Compte tenu des explications données par la Russie à la Communauté, à savoir que, à certains égards et pour certains secteurs, le traitement accordé aux filiales et succursales russes d'entreprises communautaires est plus favorable que celui qui est accordé aux entreprises russes en général, à savoir le traitement national, les parties sont convenues que, si la Russie adopte des mesures visant à aligner le traitement des filiales et succursales russes d'entreprises étrangères sur le traitement national, cela ne pourra pas être considéré comme une violation de l'obligation qui incombe à la Russie au titre de l'article 34 paragraphe 1.

DECLARATION COMMUNE RELATIVE AUX ARTICLES 34 ET 38

Les parties conviennent que, si l'une d'elles estime que l'autre n'a pas correctement interprété les termes "nettement plus restrictives" figurant à l'article 34 paragraphe 2 et à l'article 38 paragraphe 3, cette partie peut invoquer les procédures visées à l'article 101.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 35

Les parties conviennent que les activités mentionnées à l'article 35 paragraphe 3 points a) et b) excluent celle de transporteur.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 39
PARAGRAPHE 2 POINT c) DEUXIEME ALINEA CONCERNANT
L'OUVERTURE DES PORTS

Sur la base des informations communiquées par la partie russe au sujet des ports russes ouverts aux navires étrangers, la Communauté prend acte du fait que la Russie a l'intention de poursuivre son effort en vue d'accroître le nombre de ports ouverts aux navires étrangers. La partie russe prend elle aussi acte de la politique menée par la Communauté, consistant à maintenir l'ouverture aux navires étrangers de tous les ports ouverts au commerce international. Les parties considèrent que le degré d'ouverture des ports aux navires étrangers est un élément essentiel d'une évaluation des conditions nécessaires à la libre prestation de services dans les transports maritimes internationaux. Elles s'engagent, par conséquent, à réexaminer la situation en matière d'ouverture des ports aux navires étrangers au moins tous les deux ans, par l'intermédiaire de consultations qui devront être organisées dans le cadre du conseil de coopération. S'il se pose de graves difficultés pour maintenir un port ouvert aux navires étrangers, la partie sur le territoire de laquelle le port en question est situé en informe l'autre partie ; à la demande de celle-ci, des consultations ont lieu afin de garantir que toute mesure prise a l'incidence la plus minime possible sur la libre prestation de services maritimes internationaux.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 39
PARAGRAPHE 2 POINT c) DEUXIEME ALINEA CONCERNANT
LES NAVIRES BATTANT PAVILLON D'UN PAYS TIERS

Les parties conviennent d'examiner, cinq ans après la date d'entrée en vigueur du présent accord, la possibilité d'appliquer les dispositions de l'article 39 paragraphe 2 point c) deuxième alinéa aux navires battant pavillon d'un pays tiers exploités par des compagnies maritimes ou des ressortissants d'un Etat membre ou de la Russie respectivement.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 44

Aux fins du présent accord, un accord d'intégration économique est un accord conforme aux principes définis à l'article V de l'Accord général sur le commerce des services (GATS). Pour tout aspect du présent accord concernant des domaines autres que les activités de services, un accord d'intégration économique est un accord conforme aux principes définis à l'article XXIV du GATT relatif à la création de zones de libre-échange et d'unions douanières.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 46 PARAGRAPHE 2

Les parties confirment qu'il est entendu que la question de savoir si les activités sont liées, même occasionnellement, à l'exercice de la puissance publique sur leurs territoires respectifs dépend des circonstances du cas particulier en cause. L'examen, dans chaque cas, de la question de savoir si ces activités sont liées

- au droit d'utiliser la contrainte physique, ou
- à l'exercice des fonctions judiciaires, ou
- au droit d'adopter unilatéralement des réglementations contraignantes

contribuera à apporter une réponse à ces questions.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 48

Le simple fait d'exiger un visa des ressortissants de certaines parties et non de ceux d'autres parties n'est pas considéré comme ayant pour effet de réduire à néant ou de compromettre les avantages retirés d'un engagement spécifique.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 52 (DEFINITIONS)

"Paiements courants"

Les "paiements courants" sont des paiements liés à la circulation des marchandises, des services ou des personnes effectués conformément aux usages commerciaux internationalement établis. Ils ne couvrent pas les opérations qui, matériellement, sont une combinaison d'un paiement courant et d'une transaction en capital, tels que les paiements différés et les avances, destinée à tourner la législation des parties dans ce domaine.

Cette définition ne préjuge pas du droit de la Russie d'appliquer ou de mettre en oeuvre une législation stipulant que ces paiements doivent être effectués par l'intermédiaire des banques russes dûment autorisées par la Banque centrale de la Fédération de Russie à réaliser de telles opérations dans des monnaies librement convertibles.

"Investissements directs"

Les "investissements directs" sont les investissements réalisés en vue d'établir des relations économiques durables avec une entreprise, tels que les investissements qui permettent aux non-résidents dans le pays concerné ou aux résidents à l'étranger d'effectivement influencer sur la gestion de cette entreprise par :

1. la création ou l'extension d'une entreprise détenue en totalité, d'une filiale ou d'une succursale ou l'acquisition de la totalité du capital d'une entreprise existante ;
2. la prise de participation dans une entreprise nouvelle ou existante ;
3. Un prêt d'une durée de cinq ans ou plus.

"Monnaie librement convertible"

Une "monnaie librement convertible" est toute monnaie considérée comme telle par le Fonds monétaire international.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 53 PARAGRAPHE 2.2

Les "produits de base" sont ceux définis comme tels dans le GATT.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 54

Les parties conviennent, aux fins de l'accord, que la propriété intellectuelle, industrielle et commerciale comprend en particulier les droits d'auteur, y compris les droits d'auteur relatifs aux programmes informatiques, les droits voisins, les brevets, les dessins et modèles industriels, les indications géographiques, y compris les appellations d'origine, les marques de commerce et de service, les topographies de circuits intégrés ainsi que la protection contre la concurrence déloyale visée à l'article 10 bis de la Convention de Paris sur la protection de la propriété industrielle et la protection des informations non divulguées relatives au savoir-faire.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 99

Les parties conviennent que les mesures visées à l'article 99 ne seront pas prises en vue de fausser le jeu de la concurrence sur les marchés concernés et d'assurer ainsi une protection à la production nationale.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 101

Les parties invitent le conseil de coopération à examiner sans délai les règles de procédure concernant le règlement des différends dans le cadre du présent accord.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 107

Aux fins de l'interprétation correcte et de l'application pratique du présent accord, les parties conviennent d'un commun accord que les termes "cas d'urgence spéciale" figurant à l'article 107 de l'accord signifient les cas de violation substantielle de l'accord par l'une des parties. Une violation substantielle de l'accord consiste

a) dans le rejet de l'accord non sanctionné par les règles générales du droit international

ou

b) dans la violation de l'élément essentiel de l'accord repris dans l'article 2.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 107 PARAGRAPHE 2

Les parties conviennent que les "mesures appropriées" visées à l'article 107 paragraphe 2 sont des mesures prises en conformité avec le droit international.

Lorsqu'une partie adopte une mesure en cas "d'urgence spéciale" comme le prévoit l'article 107 paragraphe 2, l'autre partie peut recourir à la procédure visée à l'article 101.

DECLARATION COMMUNE RELATIVE AUX ARTICLES 2 ET 107

Les parties déclarent que la référence faite dans l'accord au respect des droits de l'homme qui constitue un élément essentiel de l'accord, et aux cas d'urgence spéciale découle :

- de la politique menée par la Communauté dans le domaine des droits de l'homme, conformément à la déclaration du Conseil du 11 mai 1992 prévoyant l'inclusion de cette référence dans les accords de coopération ou d'association conclus par la Communauté avec ses partenaires de la CSCE ainsi que
- de la politique menée par la Russie dans ce domaine et
- de l'attachement des deux parties au respect des obligations qui leur incombent en vertu notamment de l'Acte final d'Helsinki et de la Charte de Paris pour une nouvelle Europe.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 112

Les parties confirment que, nonobstant le remplacement de l'accord du 18 décembre 1989 concernant les relations entre les parties par le présent accord, celui-ci ne préjuge ni n'affecte de quelque façon que ce soit l'applicabilité des mesures qui auraient été prises avant l'entrée en vigueur du présent accord ou des accords qu'elles auraient conclus avant cette date en conformité avec l'accord de 1989, et ce conformément aux modalités et à la période d'application fixées dans ces mesures ou accords.

DECLARATION COMMUNE RELATIVE A L'ARTICLE 6 DU PROTOCOLE 2

1. Les parties conviennent de prendre les mesures nécessaires afin de se prêter mutuellement assistance, conformément aux dispositions du présent protocole et sans délai, pour les mouvements suivants de marchandises :
 - a) mouvements d'armes, de munitions, d'explosifs et d'engins explosifs ;
 - b) mouvements d'objets d'art et d'antiquité ayant une grande valeur historique, culturelle ou archéologique pour l'une des parties ;
 - c) mouvements de produits toxiques ainsi que de substances dangereuses pour l'environnement et la santé publique ;
 - d) mouvements de produits sensibles et stratégiques soumis à des restrictions non tarifaires, conformément aux listes établies d'un commun accord par les parties.

2. Les parties conviennent, dès lors que les principes fondamentaux de leurs systèmes juridiques respectifs les y autorisent, de prendre les mesures nécessaires pour permettre le recours, dans la mesure appropriée, à la technique de livraison contrôlée sur la base des dispositions d'application adoptées d'un commun accord conformément aux procédures du présent protocole.

3. Les parties conviennent de prendre toutes les mesures nécessaires, en conformité de leur législation respective, afin de :
 - fournir tous les documents,
 - notifier toutes les décisions,

relevant du champ d'application du présent protocole à un destinataire qui réside ou est établi dans leurs territoires respectifs, sur la base des dispositions d'application adaptées d'un commun accord conformément aux procédures du présent protocole. Dans ce cas, l'article 5 paragraphe 3 est applicable.

4. Les parties conviennent que lorsque l'autorité requise ne peut agir elle-même, le département administratif auquel la demande a été adressée par cette autorité agira selon les mêmes modalités que celles qui s'appliquent à l'autorité requise.

ÉCHANGE DE LETTRES CONCERNANT L'ARTICLE 22

I

A. Lettre de la Russie

Monsieur,

Je vous confirme qu'en ce qui concerne le commerce de matières nucléaires tel qu'il est couvert par l'article 22 de l'accord de partenariat et de coopération signé aujourd'hui, nous sommes arrivés aux accords suivants :

La Russie entend être un fournisseur stable, fiable et à long terme de matières nucléaires pour la Communauté, et la Communauté prend acte de cette intention. Le gouvernement russe note que la Communauté considère la Russie, en particulier aux fins de sa politique d'approvisionnement dans le domaine nucléaire, comme une source d'approvisionnement séparée et distincte d'autres fournisseurs.

Afin d'éviter toute difficulté dans les échanges, des consultations ont lieu régulièrement ou sur demande à propos de l'évolution du commerce de matières nucléaires entre la Russie et la Communauté. Ces consultations pourraient comprendre un dialogue permanent et régulier sur l'évolution des marchés et sur les prévisions.

Les consultations ont lieu dans le cadre de l'article 92.

Comme prévu à l'article 13 de l'accord de partenariat et de coopération, les réglementations visées à l'article 6 de l'accord de 1989 seront mises en oeuvre de manière uniforme, impartiale et équitable.

Je souligne notre désir commun de faciliter par tous les moyens possibles le processus de désarmement nucléaire en cours. Nous avons décidé de prendre toutes les mesures nécessaires pour engager des consultations avec tous les pays concernés, s'il apparaît que la mise en oeuvre d'accords respectivement bilatéraux et multilatéraux entraîne ou risque d'entraîner des dommages substantiels aux installations des parties.

Je propose que la présente lettre et votre réponse constituent un accord formel entre nous.

Je vous prie d'agréer, Monsieur, l'assurance de ma très haute considération.

Pour le gouvernement de
la Fédération de Russie

II

B. Lettre de la Communauté

Monsieur,

J'ai l'honneur d'accuser réception de votre lettre de ce jour libellée comme suit :

[Voir lettre I]

J'ai l'honneur de vous confirmer que votre lettre et ma réponse constituent un accord formel entre nous.

Je vous prie d'agréer, Monsieur, l'assurance de ma très haute considération.

Au nom des Communautés européennes

ÉCHANGE DE LETTRES CONCERNANT L'ARTICLE 52

I

A. Lettre de la Russie

Monsieur,

En ce qui concerne l'article 52 de l'accord de partenariat et de coopération, je confirme que rien dans cet article ne sera interprété comme restreignant les transferts à l'étranger, par des résidents de la Communauté, d'investissements réalisés en Russie par ces résidents, y compris tout versement d'indemnités résultant de mesures telles que l'expropriation et la nationalisation ou de mesures d'effet équivalent, et de tout bénéfice en découlant.

Je propose que la présente lettre et votre réponse constituent un accord formel entre nous.

Je vous prie d'agréer, Monsieur, l'assurance de ma très haute considération.

Pour le gouvernement de
la Fédération de Russie

II**B. Lettre de la Communauté**

Monsieur,

J'ai l'honneur d'accuser réception de votre lettre de ce jour libellée comme suit :

[Voir lettre I]

J'ai l'honneur de vous confirmer que votre lettre et ma réponse constituent un accord formel entre nous.

Je vous prie d'agréer, Monsieur, l'assurance de ma très haute considération.

Au nom des Communautés européennes

DECLARATION DE LA COMMUNAUTE RELATIVE A L'ARTICLE 36

La Communauté déclare que la prestation transfrontalière de services visée à l'article 36 ne suppose pas le déplacement du prestataire de services dans le territoire du pays auquel le service est destiné ni le déplacement du bénéficiaire du service dans le territoire du pays d'où provient ce service.

DECLARATION DE LA COMMUNAUTE RELATIVE A L'ARTICLE 54

Les dispositions de l'accord ne préjugent pas des compétences de la Communauté européenne et de ses Etats membres en matière de propriété intellectuelle, industrielle et commerciale.

DECLARATION DE LA RUSSIE RELATIVE A L'ARTICLE 36

La Russie déclare que les prestataires mentionnés dans la déclaration de la Communauté relative à l'article 36 ne peuvent pas être considérés comme des personnes physiques qui représentent une entreprise communautaire ou russe et cherchent à entrer provisoirement pour négocier la vente de services transfrontaliers ou pour conclure des contrats de vente de services transfrontaliers pour cette entreprise.

[Pour le testimonium et les signatures, voir p. 159 du présent volume.]

DONE at Corfu on the twenty-fourth day of June in the year one thousand nine hundred and ninety-four.

FAIT à Corfou, le vingt-quatre juin mil neuf cent quatre-vingt-quatorze.

[For the Kingdom of Belgium]:
Pour le Royaume de Belgique :
Voor het Koninkrijk België:
Für das Königreich Belgien:

[JEAN-LUC DEHAENE]¹

På Kongeriget Danmarks vegne
[For the Kingdom of Denmark:]
[Pour le Royaume du Danemark :]

[POUL NYRUP RASMUSSEN]

Für die Bundesrepublik Deutschland:
[For the Federal Republic of Germany:]
[Pour la République fédérale d'Allemagne :]

[HELMUT KOHL]

Για την Ελληνική Δημοκρατία:
[For the Hellenic Republic:]
[Pour la République hellénique :]

[ANDREAS PAPANDREOU]

Por el Reino de España:
[For the Kingdom of Spain:]
[Pour le Royaume d'Espagne :]

[FELIPE GONZALES MARQUEZ]

Pour la République française :
[For the French Republic:]

[EDOUARD BALLADUR]

Thar cheann Na hÉireann:
For Ireland:
[Pour l'Irlande :]

[ALBERT REYNOLDS]

¹ Names of signatories appearing between brackets were not legible and have been supplied by the Council of the European Union — Les noms des signataires donnés entre crochets étaient illisibles et ont été fournis par le Conseil de l'Union européenne.

Per la Repubblica italiana:
[For the Italian Republic:]
[Pour la République italienne :]

[SYLVIO BERLUSCONI]

Pour le Grand-Duché de Luxembourg :
[For the Grand Duchy of Luxembourg:]

[JEAQUES SANTER]

Voor het Koninkrijk der Nederlanden:
[For the Kingdom of the Netherlands:]
[Pour le Royaume des Pays-Bas :]

[RUUD F. M. LUBBERS]

Pela República Portuguesa:
[For the Portuguese Republic:]
[Pour la République portugaise :]

[ANIBAL CAVACO SILVA]

For the United Kingdom of Great Britain and Northern Ireland:
[Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :]

[JOHN MAJOR]

Por las Comunidades Europeas:
For De Europæiske Fællesskaber:
Für die Europäischen Gemeinschaften:
Για τις Ευρωπαϊκές Κοιότητες:
For the European Communities:
Pour les Communautés européennes :
Per le Comunità europea:
Voor de Europese Gemeenschappen:
Pelas Comunidades Europeias:

[ANDREAS PAPANDREOU]

[JACQUES DELORS]

За Российскую Федерацию:
[For the Russian Federation:]
[Pour la Fédération de Russie :]

[BORIS ELTSINE]

No. 34463

**EUROPEAN COMMUNITIES
AND THEIR MEMBER STATES,
OF THE ONE PART, AND TUNISIA,
OF THE OTHER PART**

**Euro-Mediterranean Agreement establishing an Association
between the European Communities and their member
States, of the one part, and the Republic of Tunisia, of
the other part (with annexes, protocols, and final act).
Signed at Brussels on 17 July 1995**

*Authentic texts: Spanish, Danish, German, Greek, English, French, Italian,
Dutch, Portuguese, Finnish, Swedish and Arabic.**

Registered by the Council of the European Union on 17 March 1998.

**COMMUNAUTÉS EUROPÉENNES
ET LEURS ÉTATS MEMBRES,
D'UNE PART, ET TUNISIA,
D'AUTRE PART**

**Accord euro-méditerranéen établissant une association entre
les Communautés européennes et leurs États membres,
d'une part, et la République tunisienne, d'autre part
(avec annexes, protocoles, et acte final). Signé à Bruxelles
le 17 juillet 1995**

*Textes authentiques : espagnol, danois, allemand, grec, anglais, français,
italien, néerlandais, portugais, finnois, suédois et arabe.**

Enregistré par le Conseil de l'Union européenne le 17 mars 1998.

* Only the authentic English and French texts are published. The authentic English text appears in this volume; the authentic French text appears in volume 2009 — Les textes authentiques anglais et français sont les seuls à être publiés. Le texte authentique anglais est publié dans ce volume; le texte authentique français est publié dans le volume 2009.

EURO-MEDITERRANEAN AGREEMENT¹ ESTABLISHING AN ASSOCIATION BETWEEN THE EUROPEAN COMMUNITIES AND THEIR MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF TUNISIA, OF THE OTHER PART

Contracting Parties to the Treaty establishing the European Community² and the Treaty establishing the European Coal and Steel Community,³ hereinafter referred to as the 'Member States', and

THE EUROPEAN COMMUNITY,

THE EUROPEAN COAL AND STEEL COMMUNITY,

hereinafter referred to as "the Community", of the one part, and

THE REPUBLIC OF TUNISIA,

hereinafter referred to as "Tunisia", of the other part,

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

¹ Came into force on 1 March 1998 by notification, in accordance with article 96.

² United Nations, *Treaty Series*, vol. 298, p. 3 (English translation); vol. 294, p. 3 (authentic French text); vol. 295, p. 2 (authentic German text); vol. 296, p. 2 (authentic Italian text); vol. 297, p. 2 (authentic Dutch text); vol. 1376, p. 138 (authentic Danish text); vol. 1377, p. 6 (authentic English text); vol. 1378, p. 6 (authentic Irish text); vol. 1383, p. 146 (authentic Greek text); vol. 1452, p. 306 (authentic Portuguese text), and vol. 1453, p. 332 (authentic Spanish text). See also "Single European Act", United Nations, *Treaty Series*, vol. 1754, No. I-30614; and "Treaty on European Union", United Nations, *Treaty Series*, vols. 1755 to 1759, No. I-30615.

³ *Ibid.*, vol. 261, p. 140.

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE PORTUGUESE REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

CONSIDERING the importance of the existing traditional links between the Community, its Member States and Tunisia and the common values that the Contracting Parties share;

CONSIDERING that the Community, its Member States and Tunisia wish to strengthen those links and to establish lasting relations, based on reciprocity, partnership and co-development;

CONSIDERING the importance which the Parties attach to the principles of the United Nations Charter, particularly the observance of human rights and political and economic freedom, which form the very basis of the Association;

CONSIDERING recent political and economic developments both on the European continent and in Tunisia;

CONSIDERING the considerable progress made by Tunisia and its people towards achieving their objectives of full integration of the Tunisian economy in the world economy and participation in the community of democratic nations;

CONSCIOUS of the importance of this Agreement, based on cooperation and dialogue, for lasting stability and security in the Euro-Mediterranean region;

CONSCIOUS, on the one hand, of the importance of relations in an overall Euro-Mediterranean context and, on the other, of the objective of integration between the countries of the Maghreb;

BEARING IN MIND the economic and social disparities between the Community and Tunisia and desirous of achieving the objectives of this association through the appropriate provisions of this Agreement;

DESIROUS of establishing and developing regular political dialogue on bilateral and international issues of mutual interest;

TAKING ACCOUNT of the Community's willingness to provide Tunisia with decisive support in its endeavours to bring about economic reform, structural adjustment and social development;

CONSIDERING the commitment of both the Community and Tunisia to free trade, in compliance with the rights and obligations arising out of the General Agreement on Tariffs and Trade (GATT);¹

DESIROUS of establishing cooperation sustained by regular dialogue on economic, social and cultural issues in order to achieve better mutual understanding;

CONVINCED that this Agreement will create a climate conducive to the development of their economic relations, in particular in the fields of trade and investment, the key sectors for economic restructuring and technological modernization,

HAVE AGREED AS FOLLOWS:

¹ United Nations, *Treaty Series*, vol. 55, p. 187.

ARTICLE 1

1. An association is hereby established between the Community and its Member States, of the one part, and Tunisia, of the other part.
2. The aims of this Agreement are to:
 - provide an appropriate framework for political dialogue between the Parties, allowing the development of close relations in all areas they consider relevant to such dialogue;
 - establish the conditions for the gradual liberalization of trade in goods, services and capital;
 - promote trade and the expansion of harmonious economic and social relations between the Parties, notably through dialogue and cooperation, so as to foster the development and prosperity of Tunisia and its people;
 - encourage integration of the Maghreb countries by promoting trade and cooperation between Tunisia and other countries of the region;
 - promote economic, social, cultural and financial cooperation.

ARTICLE 2

Relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles which guide their domestic and international policies and constitute an essential element of the Agreement.

TITLE I**POLITICAL DIALOGUE****ARTICLE 3**

1. A regular political dialogue shall be established between the Parties. It shall help build lasting links of solidarity between the partners which will contribute to the prosperity, stability and security of the Mediterranean region and bring about a climate of understanding and tolerance between cultures.

2. Political dialogue and cooperation are intended in particular to:

- (a) facilitate rapprochement between the Parties through the development of better mutual understanding and regular coordination on international issues of common interest;
- (b) enable each Party to consider the position and interests of the other;
- (c) contribute to consolidating security and stability in the Mediterranean region and in the Maghreb in particular;
- (d) help develop joint initiatives.

ARTICLE 4

Political dialogue shall cover all issues of common interest to the Parties, in particular the conditions required to ensure peace, security and regional development through support for cooperation, notably within the Maghreb group of countries.

ARTICLE 5

Political dialogue shall be established at regular intervals and whenever necessary notably:

- (a) at ministerial level, principally within the Association Council;
- (b) at the level of senior officials representing Tunisia, on the one hand, and the Council Presidency and the Commission on the other;
- (c) taking full advantage of all diplomatic channels including regular briefings, consultations on the occasion of international meetings and contacts between diplomatic representatives in third countries;
- (d) where appropriate, by any other means which would make a useful contribution to consolidating dialogue and increasing its effectiveness.

TITLE II

FREE MOVEMENT OF GOODS

ARTICLE 6

The Community and Tunisia shall gradually establish a free trade area over a transitional period lasting a maximum of 12 years starting from the date of the entry into force of this Agreement in accordance with the provisions of this Agreement and in conformity with those of the General Agreement on Tariffs and Trade 1994 and the other multilateral Agreements on trade in goods annexed to the Agreement establishing the WTO,¹ hereinafter referred to as the GATT.

¹ See "Marrakesh Agreement establishing the World Trade Organization", United Nations, *Treaty Series*, vols. 1867, 1868 and 1869, p. 3.

CHAPTER I
INDUSTRIAL PRODUCTS

ARTICLE 7

The provisions of this Chapter shall apply to products originating in the Community and Tunisia with the exception of the products referred to in Annex II to the Treaty establishing the European Community.

ARTICLE 8

No new customs duties on imports nor charges having equivalent effect shall be introduced in trade between the Community and Tunisia.

ARTICLE 9

Products originating in Tunisia shall be imported into the Community free of customs duties and charges having equivalent effect and without quantitative restrictions or measures having equivalent effect.

ARTICLE 10

1. The provisions of this Chapter shall not preclude the retention by the Community of an agricultural component on imports of the goods originating in Tunisia listed in Annex 1.

The agricultural component shall reflect differences between the price on the Community market of the agricultural products considered as being used in the production of such goods and the price of imports from third countries where the total cost of the said basic products is higher in the Community. The agricultural component may take the form of a fixed amount or an ad valorem duty. Such differences shall be replaced, where appropriate, by specific duties based on tariffication of the agricultural component or by ad valorem duties.

The provisions of Chapter 2 applicable to agricultural products shall apply *mutatis mutandis* to the agricultural component.

2. The provisions of this Chapter shall not preclude the separate specification by Tunisia of an agricultural component in the import duties in force on the products listed in Annex 2 originating in the Community. The agricultural component may take the form of a fixed amount or an *ad valorem* duty.

The provisions of Chapter 2 applicable to agricultural products shall apply *mutatis mutandis* to the agricultural component.

3. In the case of the products shown in Annex 2, list 1, originating in the Community, Tunisia shall apply upon the entry into force of this Agreement import duties and charges having equivalent effect no greater than those in force on 1 January 1995, within the limits of the tariff quotas shown in that list.

During elimination of the industrial component of the duties pursuant to paragraph 4, the level of the duties to be applied in respect of the products for which the tariff quotas are to be abolished may not be higher than the level of the duties in force on 1 January 1995.

4. In the case of the products in Annex 2, list 2, originating in the Community, Tunisia shall eliminate the industrial component of the duties in accordance with the provisions laid down in Article 11(3) of the Agreement in respect of products in Annex 4.

In the case of the products in Annex 2, lists 1 and 3, originating in the Community, Tunisia shall eliminate the industrial component of the duties in accordance with the provisions laid down in Article 11(3) of the Agreement in respect of products in Annex 5.

5. The agricultural components applied pursuant to paragraphs 1 and 2 may be reduced where, in trade between the Community and Tunisia, the charge applicable to a basic agricultural product is reduced or where such reductions are the result of mutual concessions relating to processed agricultural products.

6. The reduction referred to in paragraph 5, the list of products concerned and, where appropriate, the tariff quotas within which the reduction applies shall be established by the Association Council.

ARTICLE 11

1. Customs duties and charges having equivalent effect applicable on import into Tunisia of products originating in the Community other than those listed in Annexes 3 to 6 shall be abolished upon the entry into force of this Agreement.

2. Customs duties and charges having equivalent effect applicable on import into Tunisia of the products originating in the Community listed in Annex 3 shall be progressively abolished in accordance with the following timetable:

On the date of entry into force of this Agreement each duty and charge shall be reduced to 85% of the basic duty;

One year after the date of entry into force of this Agreement each duty and charge shall be reduced to 70% of the basic duty;

Two years after the date of entry into force of this Agreement each duty and charge shall be reduced to 55% of the basic duty;

Three years after the date of entry into force of this Agreement each duty and charge shall be reduced to 40% of the basic duty;

Four years after the date of entry into force of this Agreement each duty and charge shall be reduced to 25% of the basic duty;

Five years after the date of entry into force of this Agreement the remaining duties shall be abolished.

3. Customs duties and charges having equivalent effect applicable on import into Tunisia of the products originating in the Community listed in Annexes 4 and 5 shall be progressively abolished in accordance with the following timetables:

In the case of the list appearing in Annex 4:

On the date of entry into force of this Agreement each duty and charge shall be reduced to 92% of the basic duty;

One year after the date of entry into force of this Agreement each duty and charge shall be reduced to 84% of the basic duty;

Two years after the date of entry into force of this Agreement each duty and charge shall be reduced to 76% of the basic duty;

Three years after the date of entry into force of this Agreement each duty and charge shall be reduced to 68% of the basic duty;

Four years after the date of entry into force of this Agreement each duty and charge shall be reduced to 60% of the basic duty;

Five years after the date of entry into force of this Agreement each duty and charge shall be reduced to 52% of the basic duty;

Six years after the date of entry into force of this Agreement each duty and charge shall be reduced to 44% of the basic duty;

Seven years after the date of entry into force of this Agreement each duty and charge shall be reduced to 36% of the basic duty;

Eight years after the date of entry into force of this Agreement each duty and charge shall be reduced to 28% of the basic duty;

Nine years after the date of entry into force of this Agreement each duty and charge shall be reduced to 20% of the basic duty;

Ten years after the date of entry into force of this Agreement each duty and charge shall be reduced to 12% of the basic duty;

Eleven years after the date of entry into force of this Agreement each duty and charge shall be reduced to 4% of the basic duty;

Twelve years after the date of entry into force of this Agreement the remaining duties shall be abolished.

In the case of the list appearing in Annex 5:

Four years after the date of entry into force of this Agreement each duty and charge shall be reduced to 88% of the basic duty;

Five years after the date of entry into force of this Agreement each duty and charge shall be reduced to 77% of the basic duty;

Six years after the date of entry into force of this Agreement each duty and charge shall be reduced to 66% of the basic duty;

Seven years after the date of entry into force of this Agreement each duty and charge shall be reduced to 55% of the basic duty;

Eight years after the date of entry into force of this Agreement each duty and charge shall be reduced to 44% of the basic duty;

Nine years after the date of entry into force of this Agreement each duty and charge shall be reduced to 33% of the basic duty;

Ten years after the date of entry into force of this Agreement each duty and charge shall be reduced to 22% of the basic duty;

Eleven years after the date of entry into force of this Agreement each duty and charge shall be reduced to 11% of the basic duty;

Twelve years after the date of entry into force of this Agreement the remaining duties shall be abolished.

4. In the event of serious difficulties for a given product, the relevant timetables in accordance with paragraph 3 may be reviewed by the Association Committee by common accord on the understanding that the schedule for which the review has been requested may not be extended in respect of the product concerned beyond the maximum transitional period of 12 years. If the Association Committee has not taken a decision within thirty days of its application to review the timetable, Tunisia may suspend the timetable provisionally for a period which may not exceed one year.

5. For each product the basic duty to which the successive reductions laid down in paragraphs 2 and 3 are to be applied shall be that actually applied vis-à-vis the Community on 1 January 1995.

6. If, after 1 January 1995, any tariff reduction is applied on an erga omnes basis, the reduced duties shall replace the basic duties referred to in paragraph 5 as from the date when such reductions are applied.

7. Tunisia shall communicate its basic duties to the Community.

ARTICLE 12

The provisions of Articles 10, 11 and 19(b) shall not apply to products in the list appearing in Annex 6. The arrangements to be applied to such products shall be re-examined by the Association Council four years after the Agreement's entry into force.

ARTICLE 13

The provisions concerning the abolition of customs duties on imports shall also apply to customs duties of a fiscal nature.

ARTICLE 14

1. Exceptional measures of limited duration which derogate from the provisions of Article 11 may be taken by Tunisia in the form of an increase or reintroduction of customs duties.

These measures may only concern infant industries, or certain sectors undergoing restructuring or facing serious difficulties, particularly where these difficulties produce major social problems.

Customs duties on imports applicable in Tunisia to products originating in the Community introduced by these measures may not exceed 25% ad valorem and shall maintain an element of preference for products originating in the Community. The total value of imports of the products which are subject to these measures may not exceed 15% of total imports of industrial products from the Community during the last year for which statistics are available.

These measures shall be applied for a period not exceeding five years unless a longer duration is authorized by the Association Committee. They shall cease to apply at the latest on the expiry of the maximum transitional period of twelve years.

No such measures can be introduced in respect of a product if more than three years have elapsed since the elimination of all duties and quantitative restrictions or charges or measures having equivalent effect concerning that product.

Tunisia shall inform the Association Committee of any exceptional measures it intends to take and, at the request of the Community, consultations shall be held on such measures and the sectors to which they apply before they are implemented. When taking such measures Tunisia shall provide the Committee with a timetable for the elimination of the

customs duties introduced under this Article. This timetable shall provide for a phasing-out of these duties in equal annual instalments starting at the latest two years after their introduction. The Association Committee may decide on a different timetable.

2. By way of derogation from the fourth subparagraph of paragraph 1, the Association Committee may exceptionally, in order to take account of the difficulties involved in setting up a new industry, authorize Tunisia to maintain the measures already taken pursuant to paragraph 1 for a maximum period of three years beyond the twelve-year transitional period.

CHAPTER II

AGRICULTURAL AND FISHERY PRODUCTS

ARTICLE 15

The provisions of this Chapter shall apply to the products originating in the Community and Tunisia listed in Annex II to the Treaty establishing the European Community.

ARTICLE 16

The Community and Tunisia shall gradually implement greater liberalization of their reciprocal trade in agricultural and fishery products.

ARTICLE 17

1. Agricultural and fishery products originating in Tunisia shall benefit on import into the Community from the provisions set out in Protocols Nos 1 and 2 respectively.

2. Agricultural products originating in the Community shall benefit on import into Tunisia from the provisions set out in Protocol No 3.

ARTICLE 18

1. From 1 January 2000 the Community and Tunisia shall assess the situation with a view to determining the liberalization measures to be applied by the Community and Tunisia with effect from 1 January 2001 in accordance with the objective set out in Article 16.

2. Without prejudice to the provisions of the preceding paragraph and taking account of the patterns of trade in agricultural products between the Parties and the particular sensitivity of such products, the Community and Tunisia will examine on a regular basis in the Association Council, product by product and on a reciprocal basis, the possibilities of granting each other further concessions.

CHAPTER III**COMMON PROVISIONS****ARTICLE 19**

Without prejudice to the provisions of the GATT:

- (a) no new quantitative restriction on imports or measure having equivalent effect shall be introduced in trade between the Community and Tunisia;
- (b) quantitative restrictions on imports and measures having equivalent effect in trade between Tunisia and the Community shall be abolished upon the entry into force of this Agreement;
- (c) the Community and Tunisia shall apply to the other's exports customs neither duties or charges having equivalent effect nor quantitative restrictions or measures of equivalent effect.

ARTICLE 20

1. Should specific rules be introduced as a result of implementation of their agricultural policies or modification of their existing rules, or should the provisions on the implementation of their agricultural policies be modified or developed, the Community and Tunisia may modify the arrangements laid down in the Agreement in respect of the products concerned.

The Party carrying out such modification shall inform the Association Committee thereof. At the request of the other Party, the Association Committee shall meet to take appropriate account of that Party's interests.

2. If the Community or Tunisia, in applying paragraph 1, modifies the arrangements made by this Agreement for agricultural products, they shall accord imports originating in the other Party an advantage comparable to that provided for in this Agreement.

3. Any modification of the arrangements made by this Agreement shall be the subject, at the request of the other Contracting Party, of consultations within the Association Council.

ARTICLE 21

Products originating in Tunisia shall not enjoy more favourable treatment when imported into the Community than that applied by Member States among themselves.

The provisions of this Agreement shall apply without prejudice to the provisions of Council Regulation (EEC) No 1911/91 of 26 June 1991 on the application of the provisions of Community law to the Canary Islands.

ARTICLE 22

1. The two Parties shall refrain from any measures or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Party and like products originating in the territory of the other Party.
2. Products exported to the territory of one of the Parties may not benefit from repayment of indirect internal taxation in excess of the amount of indirect taxation imposed on them directly or indirectly.

ARTICLE 23

1. This Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade insofar as they do not have the effect of altering the trade arrangements provided for in this Agreement.
2. Consultations between the Parties shall take place within the Association Committee concerning agreements establishing customs unions or free trade areas and, where appropriate, on other major issues related to their respective trade policies with third countries. In particular in the event of a third country acceding to the Community, such consultations shall take place so as to ensure that account is taken of the mutual interests of the Community and Tunisia stated in this Agreement.

ARTICLE 24

If one of the Parties finds that dumping is taking place in trade with the other Party within the meaning of Article VI of the General Agreement on Tariffs and Trade, it may take appropriate measures against this practice in accordance with the Agreement relating to the application of Article VI¹ of the General Agreement on Tariffs and Trade, related internal legislation and the conditions and procedures laid down in Article 27.

¹ United Nations, *Treaty Series*, vol. 651, p. 320 and vol. 1186, p. 2.

ARTICLE 25

Where any product is being imported in such increased quantities and under such conditions as to cause or threaten to cause:

- serious injury to domestic producers of like or directly competitive products in the territory of one of the Contracting Parties, or
- serious disturbances in any sector of the economy or difficulties which could bring about serious deterioration in the economic situation of a region,

the Community or Tunisia may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 27.

ARTICLE 26

Where compliance with the provisions of Article 19(c) leads to:

- (i) re-export to a third country of a product against which the exporting Party maintains quantitative export restrictions, export duties or measures or charges having equivalent effect, or
- (ii) a serious shortage, or threat thereof, of a product essential to the exporting Party,

and where the situations referred to above give rise, or are likely to give rise, to major difficulties for the exporting Party, that Party may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 27. The measures shall be non-discriminatory and shall be eliminated when conditions no longer justify their maintenance.

ARTICLE 27

1. In the event of the Community or Tunisia subjecting imports of products liable to give rise to the difficulties referred to in Article 25 to an administrative procedure having as its purpose the rapid supply of information on trade flow trends, it shall inform the other Party.

2. In the cases specified in Articles 24, 25 and 26, before taking the measures provided for therein or, in cases to which paragraph 3(d) applies, as soon as possible, the Community or Tunisia, as the case may be, shall supply the Association Committee with all relevant information with a view to seeking a solution acceptable to the two Parties.

In the selection of measures, priority shall be given to those which least disturb the functioning of this Agreement.

The safeguard measures shall be immediately notified to the Association Committee by the Party concerned and shall be the subject of periodic consultations, particularly with a view to their abolition as soon as circumstances permit.

3. For the implementation of paragraph 2, the following provisions shall apply:

- (a) as regards Article 24, the exporting Party shall be informed of the dumping case as soon as the authorities of the importing Party have initiated an investigation. When no end has been put to the dumping within the meaning of Article VI of the GATT or no other satisfactory solution has been reached within 30 days of the matter being referred, the importing Party may adopt the appropriate measures;
- (b) as regards Article 25, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Association Committee, which may take any decision needed to put an end to such difficulties.

If the Association Committee or the exporting Party has not taken a decision putting an end to the difficulties or no other satisfactory solution has been reached within 30 days of the matter being referred, the importing Party may adopt the appropriate measures to remedy the problem. These measures shall not exceed the scope of what is necessary to remedy the difficulties which have arisen;

- (c) as regards Article 26, the difficulties arising from the situations referred to in that Article shall be referred for examination to the Association Committee.

The Association Committee may take any decision needed to put an end to the difficulties. If it has not taken such a decision within 30 days of the matter being referred to it, the exporting Party may apply appropriate measures to exports of the product concerned;

- (d) where exceptional circumstances requiring immediate action make prior information or examination, as the case may be, impossible, the Community or Tunisia, whichever is concerned, may, in the situations specified in Articles 24, 25 and 26, apply forthwith the precautionary measures strictly necessary to deal with the situation and shall inform the other Party immediately thereof.

ARTICLE 28

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants; the protection of national treasures of artistic, historic or archaeological value or the protection of intellectual, industrial and commercial property or rules relating to gold and silver. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Parties.

ARTICLE 29

The concept of "originating products" for the purposes of implementing this Title and the methods of administrative cooperation relating thereto are laid down in Protocol No 4.

ARTICLE 30

The Combined Nomenclature of goods shall be applied to the classification of goods in trade between the two Parties.

TITLE III

RIGHT OF ESTABLISHMENT AND SERVICES

ARTICLE 31

1. The Parties agree to widen the scope of the Agreement to cover the right of establishment of one Party's firms on the territory of the other and liberalization of the provision of services by one Party's firms to consumers of services in the other.

2. The Association Council will make recommendations for achieving the objective described in paragraph 1.

In making such recommendations, the Association Council will take account of past experience of implementation of reciprocal most-favoured-nation treatment and of the respective obligations of each Party under the General Agreement on Trade in Services annexed to the Agreement establishing the WTO, hereinafter referred to as the "GATS", particularly those in Article V of the latter.

3. The Association Council will make a first assessment of the achievement of this objective no later than five years after the Agreement enters into force.

ARTICLE 32

1. At the outset, each of the Parties shall reaffirm its obligations under the GATS, particularly the obligation to grant reciprocal most-favoured-nation treatment in the service sectors covered by that obligation.

2. In accordance with the GATS, such treatment shall not apply to:

- (a) advantages granted by either Party under the terms of an agreement of the type defined in Article V of the GATS or to measures taken on the basis of such an agreement;

- (b) other advantages granted in accordance with the list of exemptions from most-favoured-nation treatment annexed by either Party to the GATS.

TITLE IV

PAYMENTS, CAPITAL, COMPETITION AND OTHER ECONOMIC PROVISIONS

CHAPTER I

CURRENT PAYMENTS AND MOVEMENT OF CAPITAL

ARTICLE 33

Subject to the provisions of Article 35, the Parties undertake to allow all current payments for current transactions to be made in a freely convertible currency.

ARTICLE 34

1. With regard to transactions on the capital account of balance of payments, the Community and Tunisia shall ensure, from the entry into force of this Agreement, that capital relating to direct investments in Tunisia in companies formed in accordance with current laws can move freely and that the yield from such investments and any profit stemming therefrom can be liquidated and repatriated.
2. The Parties shall consult each other with a view to facilitating, and fully liberalizing when the time is right, the movement of capital between the Community and Tunisia.

ARTICLE 35

Where one or more Member States of the Community, or Tunisia, is in serious balance of payments difficulties, or under threat thereof, the Community or Tunisia, as the case may be, may, in accordance with the conditions established under the General Agreement on Tariffs and Trade and Articles VIII and XIV of the Articles of Agreement of the International Monetary Fund,¹ adopt restrictions on current transactions which shall be of limited duration and may not go beyond what is strictly necessary to remedy the balance of payments situation. The Community or Tunisia, as the case may be, shall inform the other Party forthwith and shall submit to it as soon as possible a timetable for the elimination of the measures concerned.

CHAPTER II

COMPETITION AND OTHER ECONOMIC PROVISIONS

ARTICLE 36

1. The following are incompatible with the proper functioning of the Agreement, insofar as they may affect trade between the Community and Tunisia:
 - (a) all agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition;
 - (b) abuse by one or more undertakings of a dominant position in the territories of the Community or of Tunisia as a whole or in a substantial part thereof;

¹ United Nations, *Treaty Series*, vol. 2, p. 39.

(c) any official aid which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods, with the exception of cases in which a derogation is allowed under the Treaty establishing the European Coal and Steel Community.

2. Any practices contrary to this Article shall be assessed on the basis of criteria arising from the application of the rules of Articles 85, 86 and 92 of the Treaty establishing the European Community and, in the case of products falling within the scope of the European Coal and Steel Community, the rules of Articles 65 and 66 of the Treaty establishing that Community, and the rules relating to state aid, including secondary legislation.

3. The Association Council shall, within five years of the entry into force of this Agreement, adopt the necessary rules for the implementation of paragraphs 1 and 2.

Until these rules are adopted, the provisions of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade shall be applied as the rules for the implementation of paragraph 1(c) and related parts of paragraph 2.

4. (a) For the purposes of applying the provisions of paragraph 1(c), the Parties recognize that during the first five years after the entry into force of this Agreement, any state aid granted by Tunisia shall be assessed taking into account the fact that Tunisia shall be regarded as an area identical to those areas of the Community described in Article 92(3)(a) of the Treaty establishing the European Community.

During the same period of time, Tunisia may exceptionally, as regards ECSC steel products, grant state aid for restructuring purposes provided that:

- it leads to the viability of the recipient firms under normal market conditions at the end of the restructuring period;
- the amount and intensity of such aid are strictly limited to what is absolutely necessary in order to restore such viability and are progressively reduced;
- the restructuring programme is linked to a comprehensive plan for rationalizing capacity in Tunisia.

The Association Council shall, taking into account the economic situation of Tunisia, decide whether the period should be extended every five years.

(b) Each Party shall ensure transparency in the area of official aid, inter alia by reporting annually to the other Party on the total amount and the distribution of the aid given and by providing, upon request, information on aid schemes. Upon request by one Party, the other Party shall provide information on particular individual cases of official aid.

5. With regard to products referred to in Chapter II of Title II:

- the provisions of paragraph 1(c) do not apply,
- any practices contrary to paragraph 1(a) shall be assessed according to the criteria established by the Community on the basis of Articles 42 and 43 of the Treaty establishing the European Community, and in particular those established in Council Regulation No 26/62.

6. If the Community or Tunisia considers that a particular practice is incompatible with the terms of paragraph 1, and:

- is not adequately dealt with under the implementing rules referred to in paragraph 3,
or
- in the absence of such rules, and if such practice causes or threatens to cause serious prejudice to the interest of the other Party or material injury to its domestic industry, including its services industry,

it may take appropriate measures after consultation within the Association Committee or after 30 working days following referral to that Committee.

In the case of practices incompatible with paragraph 1(c) of this Article, such appropriate measures may, where the General Agreement on Tariffs and Trade applies thereto, only be adopted in accordance with the procedures and under the conditions laid down by the General Agreement on Tariffs and Trade and any other relevant instrument negotiated under its auspices which is applicable between the Parties.

7. Notwithstanding any provisions to the contrary adopted in accordance with paragraph 3, the Parties shall exchange information taking into account the limitations imposed by the requirements of professional and business secrecy.

ARTICLE 37

The Member States and Tunisia shall progressively adjust, without affecting commitments made under the GATT, any state monopolies of a commercial character so as to ensure that, by the end of the fifth year following the entry into force of this Agreement, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States and of Tunisia. The Association Committee will be informed about the measures adopted to implement this objective.

ARTICLE 38

With regard to public enterprises and enterprises which have been granted special or exclusive rights, the Association Council shall ensure, from the fifth year following the entry into force of the Agreement, that no measure which disturbs trade between the Community and Tunisia in a manner which runs counter to the interests of the Parties is adopted or maintained. This provision shall not impede the performance in fact or in law of the specific functions assigned to those enterprises.

ARTICLE 39

1. The Parties shall provide suitable and effective protection of intellectual, industrial and commercial property rights, in line with the highest international standards. This shall encompass effective means of enforcing such rights.
2. Implementation of this Article and of Annex 7 shall be regularly assessed by the Parties. If difficulties which affect trade arise in connection with intellectual, industrial and commercial property rights, either Party may request urgent consultations to find mutually satisfactory solutions.

ARTICLE 40

1. The Parties shall take appropriate steps to promote the use by Tunisia of Community technical rules and European standards for industrial and agri-food products and certification procedures.
2. Using the principles set out in paragraph 1 as a basis, the Parties shall, when the circumstances are right, conclude agreements for the mutual recognition of certifications.

ARTICLE 41

1. The Parties shall set as their objective a reciprocal and gradual liberalization of public procurement contracts.
2. The Association Council shall take the steps necessary to implement paragraph 1.

TITLE V**ECONOMIC COOPERATION****ARTICLE 42****Objectives**

1. The Parties undertake to step up economic cooperation in their mutual interest and in the spirit of partnership which is at the root of this Agreement.
2. The objective of economic cooperation shall be to support Tunisia's own efforts to achieve sustainable economic and social development.

ARTICLE 43**Scope**

1. Cooperation will be targeted first and foremost at areas of activity suffering the effects of internal constraints and difficulties or affected by the process of liberalizing Tunisia's economy as a whole, and more particularly by the liberalization of trade between Tunisia and the Community.
2. Similarly, cooperation shall focus on areas likely to bring the economies of the Community and Tunisia closer together, particularly those which will generate growth and employment.
3. Cooperation shall foster economic integration within the Maghreb using any measures likely to further such relations within the region.
4. Preservation of the environment and ecological balances shall constitute a central component of the various fields of economic cooperation.
5. Where appropriate, the Parties shall determine by agreement other fields of economic cooperation.

ARTICLE 44**Methods**

Economic cooperation shall involve methods including:

- (a) regular economic dialogue between the two Parties covering all aspects of macroeconomic policy;
- (b) communication and exchanges of information;
- (c) advice, use of the services of experts and training;

- (d) joint ventures;
- (e) assistance with technical, administrative and regulatory matters.

ARTICLE 45

Regional cooperation

In order to make the most of this Agreement, the Parties shall foster all activities which have a regional impact or involve third countries, notably:

- (a) intra-regional trade within the Maghreb;
- (b) environmental matters;
- (c) the development of economic infrastructure;
- (d) research in science and technology;
- (e) cultural matters;
- (f) customs matters;
- (g) regional institutions and the establishment of common or harmonized programmes and policies.

ARTICLE 46

Education and training

The aim of cooperation shall be to:

- (a) find ways to bring about a significant improvement in education and training, including vocational training;

- (b) place special emphasis on giving the female population access to education, including technical training, higher education and vocational training;
- (c) encourage the establishment of lasting links between specialist bodies on the Parties' territories in order to pool and exchange experience and methods.

ARTICLE 47

Scientific, technical and technological cooperation

The aim of cooperation shall be to:

- (a) encourage the establishment of permanent links between the Parties' scientific communities, notably by means of:
 - providing Tunisia with access to Community research and technological development programmes in accordance with Community rules governing non-Community countries' involvement in such programmes;
 - Tunisian participation in networks of decentralized cooperation;
 - promoting synergy in training and research;
- (b) improve Tunisia's research capabilities;
- (c) stimulate technological innovation and the transfer of new technology and know-how;
- (d) encourage all activities aimed at establishing synergy at regional level.

ARTICLE 48**Environment**

The aim of cooperation shall be to prevent deterioration of the environment, to improve the quality of the environment, to protect human health and to achieve rational use of natural resources for sustainable development.

The Parties undertake to cooperate in areas including:

- (a) soil and water quality;
- (b) the consequences of development, particularly industrial development (especially safety of installations and waste);
- (c) monitoring and preventing pollution of the sea.

ARTICLE 49**Industrial cooperation**

The aim of cooperation shall be to:

- (a) encourage cooperation between the Parties' economic operators, including cooperation in the context of access for Tunisia to Community business networks and decentralized cooperation networks;
- (b) back the effort to modernize and restructure Tunisia's public and private sector industry (including the agri-food industry);
- (c) foster an environment which favours private initiative, with the aim of stimulating and diversifying output for the domestic and export markets;

- (d) make the most of Tunisia's human resources and industrial potential through better use of policy in the fields of innovation and research and technological development;
- (e) facilitate access to credit to finance investment.

ARTICLE 50

Promotion and protection of investment

The aim of cooperation shall be to create a favourable climate for flows of investment, and to use the following in particular:

- (a) the establishment of harmonized and simplified procedures, co-investment machinery (especially to link small and medium-sized enterprises) and methods of identifying and providing information on investment opportunities;
- (b) the establishment, where appropriate, of a legal framework to promote investment, chiefly through the conclusion by Tunisia and the Member States of investment protection agreements and agreements preventing double taxation.

ARTICLE 51

Cooperation in standardization and conformity assessment

The Parties shall cooperate in developing:

- (a) the use of Community rules in standardization, metrology, quality control and conformity assessment;

- (b) the updating of Tunisian laboratories, leading eventually to the conclusion of mutual recognition agreements for conformity assessment;
- (c) the bodies responsible for intellectual, industrial and commercial property and for standardization and quality in Tunisia.

ARTICLE 52

Approximation of legislation

Cooperation shall be aimed at helping Tunisia to bring its legislation closer to that of the Community in the areas covered by this Agreement.

ARTICLE 53

Financial services

The aim of cooperation shall be to achieve closer common rules and standards in areas including the following:

- (a) bolstering and restructuring Tunisia's financial sectors;
- (b) improving accounting, auditing, supervision and regulation of financial services and financial monitoring in Tunisia.

ARTICLE 54**Agriculture and fisheries**

The aim of cooperation shall be to:

- (a) modernize and restructure agriculture and fisheries through methods including the modernization of infrastructure and equipment, the development of packaging and storage techniques and the improvement of private distribution and marketing chains;
- (b) diversify output and external markets;
- (c) achieve cooperation in health, plant health and growing techniques.

ARTICLE 55**Transport**

The aim of cooperation shall be to:

- (a) achieve the restructuring and modernization of road, rail, port and airport infrastructure of common interest, in correlation with major trans-European communication routes;
- (b) define and apply operating standards comparable to those found in the Community;
- (c) bring equipment up to Community standards, particularly where multimodal transport, containerization and transshipment are concerned;
- (d) gradually improve road transit and the management of airports, air traffic and railways.

ARTICLE 56**Telecommunications and information technology**

Cooperation shall focus on:

- (a) telecommunications in general;
- (b) standardization, conformity testing and certification for information technology and telecommunications;
- (c) dissemination of new information technologies, particularly in relation to networks and the interconnection of networks (ISDN – integrated services digital networks – and EDI – electronic data interchange);
- (d) stimulating research on and development of new communication and information technology facilities to develop the market in equipment, services and applications related to information technology and to communications, services and installations.

ARTICLE 57**Energy**

Cooperation shall focus on:

- (a) renewable energy;
- (b) promoting the saving of energy;
- (c) applied research relating to networks of databases linking the two Parties' economic and social operators;
- (d) backing efforts to modernize and develop energy networks and the interconnection of such networks with Community networks.

ARTICLE 58**Tourism**

The aim of cooperation shall be to develop tourism, particularly with regard to:

- (a) catering management and quality of service in the various fields connected with catering;
- (b) development of marketing;
- (c) promotion of tourism for young people.

ARTICLE 59**Cooperation in customs matters**

1. The aim of cooperation shall be to ensure fair trade and compliance with trade rules. It shall focus on:

- (a) simplifying customs checks and procedures;
- (b) the use of the Single Administrative Document and creating a link between the Community and Tunisian transit systems.

2. Without prejudice to other forms of cooperation provided for in this Agreement, and particularly those provided for in Articles 61 and 62, the Contracting Parties' administrative authorities shall provide mutual assistance in accordance with the terms of Protocol No 5.

ARTICLE 60**Cooperation in statistics**

The aim of cooperation shall be to bring the methods used by the Parties closer together and to put to use data on all areas covered by this Agreement for which statistics can be collected.

ARTICLE 61**Money laundering**

1. The Parties agree on the need to work towards and cooperate on preventing the use of their financial systems to launder the proceeds of criminal activities in general and drug trafficking in particular.
2. Cooperation in this area shall include administrative and technical assistance with the purpose of establishing suitable standards against money laundering equivalent to those adopted by the Community and international fora in this field, including the Financial Action Task Force (FATF).

ARTICLE 62**Combating drug use and trafficking**

1. The aim of cooperation shall be to:
 - (a) improve the effectiveness of policies and measures to prevent and combat the production and supply of and trafficking in narcotics and psychotropic substances;
 - (b) eliminate illicit consumption of such products.

2. The Parties shall together set out appropriate strategies and methods of cooperation, in accordance with their own legislation, to attain those objectives. For any action which is not conducted jointly, there shall be consultations and close coordination.

Such action may involve the appropriate public and private sector institutions and international organizations, in collaboration with the government of the Republic of Tunisia and the relevant authorities in the Community and the Member States.

3. Cooperation shall take the following forms in particular:

- (a) the establishment or expansion of clinics/hostels and information centres for the treatment and rehabilitation of drug addicts;
- (b) the implementation of prevention, information, training and epidemiological research projects;
- (c) the establishment of standards for preventing diversion of precursors and other essential ingredients for the illicit manufacture of narcotics and psychotropic substances, which are equivalent to those adopted by the Community and the appropriate international authorities, particularly the Chemicals Action Task Force (CATF).

ARTICLE 63

The two Parties shall together establish the procedures needed to achieve cooperation in the fields covered by this Title.

TITLE VI

COOPERATION IN SOCIAL AND CULTURAL MATTERS

CHAPTER I

WORKERS

ARTICLE 64

1. The treatment accorded by each Member State to workers of Tunisian nationality employed in its territory shall be free from any discrimination based on nationality, as regards working conditions, remuneration and dismissal, relative to its own nationals.
2. All Tunisian workers allowed to undertake paid employment in the territory of a Member State on a temporary basis shall be covered by the provisions of paragraph 1 with regard to working conditions and remuneration.
3. Tunisia shall accord the same treatment to workers who are nationals of a Member State and employed in its territory.

ARTICLE 65

1. Subject to the provisions of the following paragraphs, workers of Tunisian nationality and any members of their families living with them shall enjoy, in the field of social security, treatment free from any discrimination based on nationality relative to nationals of the Member States in which they are employed.

The concept of social security shall cover the branches of social security dealing with sickness and maternity benefits, invalidity, old-age and survivors' benefits, industrial accident and occupational disease benefits and death, unemployment and family benefits.

These provisions shall not, however, cause the other coordination rules provided for in Community legislation based on Article 51 of the EC Treaty to apply, except under the conditions set out in Article 67 of this Agreement.

2. All periods of insurance, employment or residence completed by such workers in the various Member States shall be added together for the purpose of pensions and annuities in respect of old age, invalidity and survivors' benefits and family, sickness and maternity benefits and also for that of medical care for the workers and for members of their families resident in the Community.

3. The workers in question shall receive family allowances for members of their families who are resident in the Community.

4. The workers in question shall be able to transfer freely to Tunisia, at the rates applied by virtue of the legislation of the debtor Member State or States, any pensions or annuities in respect of old age, survivor status, industrial accident or occupational disease, or of invalidity resulting from industrial accident or occupational disease, except in the case of special non-contributory benefits.

5. Tunisia shall accord to workers who are nationals of a Member State and employed in its territory, and to the members of their families, treatment similar to that specified in paragraphs 1, 3 and 4.

ARTICLE 66

The provisions of this Chapter shall not apply to nationals of the Parties residing or working illegally in the territory of their host countries.

ARTICLE 67

1. Before the end of the first year following the entry into force of this Agreement, the Association Council shall adopt provisions to implement the principles set out in Article 65.

2. The Association Council shall adopt detailed rules for administrative cooperation providing the necessary management and monitoring guarantees for the application of the provisions referred to in paragraph 1.

ARTICLE 68

The provisions adopted by the Association Council in accordance with Article 67 shall not affect any rights or obligations arising from bilateral agreements linking Tunisia and the Member States where those agreements provide for more favourable treatment of nationals of Tunisia or of the Member States.

CHAPTER II

DIALOGUE IN SOCIAL MATTERS

ARTICLE 69

1. The Parties shall conduct regular dialogue on any social matter which is of interest to them.
2. Such dialogue shall be used to find ways to achieve progress in the field of movement of workers and equal treatment and social integration for Tunisian and Community nationals residing legally in the territories of their host countries.
3. Dialogue shall cover in particular all issues connected with:
 - (a) the living and working conditions of the migrant communities;
 - (b) migration;

- (c) illegal immigration and the conditions governing the return of individuals who are in breach of the legislation dealing with the right to stay and the right of establishment in their host countries;
- (d) schemes and programmes to encourage equal treatment between Tunisian and Community nationals, mutual knowledge of cultures and civilizations, the furthering of tolerance and the removal of discrimination.

ARTICLE 70

Dialogue on social matters shall be conducted at the same levels and in accordance with the same procedures as provided for in Title I of this Agreement, which can itself provide a framework for that dialogue.

CHAPTER III

COOPERATION IN THE SOCIAL FIELD

ARTICLE 71

1. With a view to consolidating cooperation between the Parties in the social field, projects and programmes shall be carried out in any area of interest to them.

Priority will be afforded to:

- (a) reducing migratory pressure, in particular by creating jobs and developing training in areas from which emigrants come;
- (b) resettling those repatriated because of their illegal status under the legislation of the state in question;
- (c) promoting the role of women in the economic and social development process through education and the media in step with Tunisian policy on the matter;

- (d) bolstering and developing Tunisia's family planning and mother and child protection programmes;
- (e) improving the social protection system;
- (f) enhancing the health cover system;
- (g) improving living conditions in poor, densely populated areas;
- (h) implementing and financing exchange and leisure programmes for mixed groups of Tunisian and European young people residing in the Member States, with a view to promoting mutual knowledge of their respective cultures and fostering tolerance.

ARTICLE 72

Cooperation schemes may be carried out in coordination with Member States and relevant international organizations.

ARTICLE 73

A working party shall be set up by the Association Council by the end of the first year following the entry into force of this Agreement. It shall be responsible for the continuous and regular evaluation of the implementation of Chapters 1 to 3.

CHAPTER IV

COOPERATION ON CULTURAL MATTERS

ARTICLE 74

1. In order to boost mutual knowledge and understanding, taking account of activities already carried out, the Parties shall undertake – while respecting each other's culture – to provide a firmer footing for lasting cultural dialogue and to promote continuous cultural cooperation between them, without ruling out a priori any field of activity.
2. In putting together cooperation projects and programmes and carrying out joint activities, the Parties shall place special emphasis on young people, on written and audio-visual means of expression and communication, and on the protection of their heritage and the dissemination of culture.
3. The Parties agree that cultural cooperation programmes already under way in the Community or in one or more of its Member States may be extended to Tunisia.

TITLE VII

FINANCIAL COOPERATION

ARTICLE 75

With a view to full attainment of the Agreement's objectives, financial cooperation shall be implemented for Tunisia in line with the appropriate financial procedures and resources.

These procedures shall be adopted by mutual agreement between the Parties by means of the most suitable instruments once the Agreement enters into force.

In addition to the areas covered by the Titles V and VI of this Agreement, cooperation shall entail:

- facilitating reforms aimed at modernizing the economy;
- updating economic infrastructure;
- promoting private investment and job creation activities;
- taking into account the effects on the Tunisian economy of the progressive introduction of a free trade area, in particular where the updating and restructuring of industry is concerned;
- flanking measures for policies implemented in the social sectors.

ARTICLE 76

Within the framework of Community instruments intended to buttress structural adjustment programmes in the Mediterranean countries – and in close coordination with the Tunisian authorities and other contributors, in particular the international financial institutions – the Community will examine suitable ways of supporting structural policies carried out by Tunisia to restore financial equilibrium in all its key aspects and create an economic environment conducive to boosting growth, while at the same time enhancing social welfare.

ARTICLE 77

In order to ensure a coordinated approach to dealing with exceptional macroeconomic and financial problems which could stem from the progressive implementation of the Agreement, the Parties shall closely monitor the development of trade and financial relations between the Community and Tunisia as part of the regular economic dialogue established under Title V.

TITLE VIII

INSTITUTIONAL, GENERAL AND FINAL PROVISIONS

ARTICLE 78

An Association Council is hereby established which shall meet at ministerial level once a year and when circumstances require, on the initiative of its Chairman and in accordance with the conditions laid down in its rules of procedure.

It shall examine any major issues arising within the framework of this Agreement and any other bilateral or international issues of mutual interest.

ARTICLE 79

1. The Association Council shall consist of the members of the Council of the European Union and members of the Commission of the European Communities, on the one hand, and of members of the Government of the Republic of Tunisia, on the other.
2. Members of the Association Council may arrange to be represented, in accordance with the provisions laid down in its rules of procedure.
3. The Association Council shall establish its rules of procedure.
4. The Association Council shall be chaired in turn by a member of the Council of the European Union and a member of the Government of the Republic of Tunisia in accordance with the provisions laid down in its rules of procedure.

ARTICLE 80

The Association Council shall, for the purpose of attaining the objectives of the Agreement, have the power to take decisions in the cases provided for therein.

The decisions taken shall be binding on the Parties, which shall take the measures necessary to implement the decisions taken. The Association Council may also make appropriate recommendations.

It shall draw up its decisions and recommendations by agreement between the Parties.

ARTICLE 81

1. Subject to the powers of the Council, an Association Committee is hereby established which shall be responsible for the implementation of the Agreement.
2. The Association Council may delegate to the Association Committee, in full or in part, any of its powers.

ARTICLE 82

1. The Association Committee, which shall meet at the level of officials, shall consist of representatives of members of the Council of the European Union and of members of the Commission of the European Communities, on the one hand, and of representatives of the Government of the Republic of Tunisia, on the other.
2. The Association Committee shall establish its rules of procedure.
3. The Association Committee shall be chaired in turn by a representative of the Presidency of the Council of the European Union and by a representative of the Government of the Republic of Tunisia.

The Association Committee shall normally meet alternately in the Community and in Tunisia.

ARTICLE 83

The Association Committee shall have the power to take decisions for the management of the Agreement as well as in those areas in which the Council has delegated its powers to it.

It shall draw up its decisions by agreement between the Parties. These decisions shall be binding on the Parties, which shall take the measures necessary to implement the decisions taken.

ARTICLE 84

The Association Council may decide to set up any working group or body necessary for the implementation of the Agreement.

ARTICLE 85

The Association Council shall take all appropriate measures to facilitate cooperation and contacts between the European Parliament and the Chamber of Deputies of the Republic of Tunisia, and between the Economic and Social Committee of the Community and the Economic and Social Council of the Republic of Tunisia.

ARTICLE 86

1. Either Party may refer to the Association Council any dispute relating to the application or interpretation of this Agreement.
2. The Association Council may settle the dispute by means of a decision.
3. Each Party shall be bound to take the measures involved in carrying out the decision referred to in paragraph 2.

4. In the event of it not being possible to settle the dispute in accordance with paragraph 2, either Party may notify the other of the appointment of an arbitrator; the other Party must then appoint a second arbitrator within two months. For the application of this procedure, the Community and the Member States shall be deemed to be one Party to the dispute.

The Association Council shall appoint a third arbitrator.

The arbitrators' decisions shall be taken by majority vote.

Each party to the dispute shall take the steps required to implement the decision of the arbitrators.

ARTICLE 87

Nothing in the Agreement shall prevent a Contracting Party from taking any measures:

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to the production of, or trade in, arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its own security in the event of serious internal disturbances affecting the maintenance of law and order, in time of war or serious international tension constituting threat of war or in order to carry out obligations it has accepted for the purpose of maintaining peace and international security.

ARTICLE 88

1. In the fields covered by this Agreement, and without prejudice to any special provisions contained therein:

- the arrangements applied by the Republic of Tunisia in respect of the Community shall not give rise to any discrimination between the Member States, their nationals, or their companies or firms,
- the arrangements applied by the Community in respect of the Republic of Tunisia shall not give rise to any discrimination between Tunisian nationals or its companies or firms.

ARTICLE 89

Nothing in the Agreement shall have the effect of:

- extending the fiscal advantages granted by either Party in any international agreement or arrangement by which it is bound;
- preventing the adoption or application by either Party of any measure aimed at preventing fraud or the evasion of taxes;
- opposing the right of either Party to apply the relevant provisions of its tax legislation to taxpayers who are not in an identical situation as regards their place of residence.

ARTICLE 90

1. The Parties shall take any general or specific measures required to fulfil their obligations under the Agreement. They shall see to it that the objectives set out in the Agreement are attained.

2. If either Party considers that the other Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures. Before so doing, except in cases of special urgency, it shall supply the Association Council with all the relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. These measures shall be notified immediately to the Association Council and shall be the subject of consultations within the Association Council if the other Party so requests.

ARTICLE 91

Protocols Nos 1 to 5, Annexes 1 to 7 and the declarations shall form an integral part of the Agreement.

ARTICLE 92

For the purposes of this Agreement, "Parties" shall mean, on the one hand, the Community or the Member States, or the Community and its Member States, in accordance with their respective powers, and, on the other hand, Tunisia.

ARTICLE 93

This Agreement shall be concluded for an unlimited period.

Either Party may denounce this Agreement by notifying the other Party. The Agreement shall cease to apply six months after the date of such notification.

ARTICLE 94

This Agreement shall apply, on the one hand, to the territories in which the Treaties establishing the European Community and the European Coal And Steel Community are applied and under the conditions laid down in those Treaties and, on the other hand to the territory of the Republic of Tunisia.

ARTICLE 95

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Arabic languages, each of these texts being equally authentic.

ARTICLE 96

1. The Agreement shall be approved by the Contracting Parties in accordance with their own procedures.

It shall enter into force on the first day of the second month following the date on which the Contracting Parties notify each other that the procedures referred to in the first paragraph have been completed.

2. Upon its entry into force, the Agreement shall replace the Cooperation Agreement between the European Community and the Republic of Tunisia and the Agreement between the Member States of the European Coal and Steel Community and the Republic of Tunisia, signed in Tunis on 25 April 1976.

[For the testimonium and signatures, see volume 2009, No. I-34462.]

ANNEX 1

Products referred to in Article 10(1)

CN code	Description
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa:
0403 10 51	- Yoghurt, flavoured or containing added fruit, nuts or cocoa: -- not exceeding 1,5%
0403 10 53	-- exceeding 1,5% but not exceeding 27%
0403 10 59	-- exceeding 27%
	-- other, of a milk fat content by weight:
0403 10 91	-- not exceeding 3%
0403 10 93	-- exceeding 3% but not exceeding 6%
0403 10 99	-- exceeding 6%
0403 90 71	- Other, flavoured or containing added fruit, nuts or cocoa: -- in powder, granules or other solid forms, of a milk fat content, by weight: -- not exceeding 1,5%
0403 90 73	-- exceeding 1,5% but not exceeding 27%
0403 90 79	-- exceeding 27%
	-- other, of a milk fat content by weight:
0403 90 91	-- not exceeding 3%
0403 90 93	-- exceeding 3% but not exceeding 6%
0403 90 99	-- exceeding 6%
0710 40 00	Sweet corn, uncooked or cooked by steaming or boiling in water, frozen:
0711 90 30	Sweet corn, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No 1516:
1517 10 10	- Margarine, excluding liquid margarine, containing more than 10% but not more than 15% by weight of milk fats
1517 90 10	- other, containing more than 10% but not more than 15% by weight of milk fats
1702 50 00	Chemically pure fructose
1704	Sugar confectionery (including white chocolate), not containing cocoa, except liquorice extract containing more than 10% by weight of sucrose but not containing other added substances, of CN code 1704 90 10
	- Chewing-gum, whether or not sugar-coated:
1704 10 11	-- Containing less than 60% by weight of sucrose (including invert sugar expressed as sucrose): -- in strips -- other
1704 10 19	-- Containing 60% or more by weight of sucrose (including invert sugar expressed as sucrose):
1704 10 91	-- in strips
1704 10 99	-- other
1704 90 30	- White chocolate - other:
1704 90 51	-- Pastes, including marzipan, in immediate packings of a net content of 1 kg or more

CN code	Description
1704 90 55	- Throat pastilles and cough drops
1704 90 61	- Sugar coated (panned) goods
	- Other:
1704 90 65	-- Gum confectionery and jelly confectionery including fruit pastes in the form of sugar confectionery
1704 90 71	-- Boiled sweets, whether or not filled
1704 90 75	-- Toffees, caramels and similar sweets
	-- other:
1704 90 81	--- compressed tablets
1704 90 99	--- other
1806	Chocolate and other food preparations containing cocoa:
1806 10 15	-- Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
1806 10 20	-- Containing 5% or more but less than 65% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
1806 10 30	-- Containing 65% or more but less than 80% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
1806 10 90	-- Containing 80% or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
1806 20 10	- Other preparations in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packing of a content exceeding 2 kg:
	-- Containing 31% or more by weight of cocoa butter or containing a combined weight of 31% or more of cocoa butter and milk fat
1806 20 30	-- Containing a combined weight of 25% or more, but less than 31%, of cocoa butter and milk fat
	- other:
1806 20 50	-- Containing 18% or more by weight of cocoa butter
1806 20 70	-- Chocolate milk crumb
1806 20 80	-- Chocolate flavour coating
1806 20 95	-- other
	- other, in blocks, slabs or bars:
1806 31 00	-- filled
1806 32 10	-- not filled:
	--- with added cereal, fruit or nuts
1806 32 90	-- other
1806 90 11	- other:
	-- Chocolate and chocolate products:
	-- Chocolates, whether or not filled:
	---- containing alcohol
1806 90 19	--- other
	-- other:
1806 90 31	-- filled
1806 90 39	-- not filled
1806 90 50	- Sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa
1806 90 60	- Spreads containing cocoa
1806 90 70	- Preparations containing cocoa for making beverages
1806 90 90	- Other
1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50%, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10%, not elsewhere specified or included

CN code	Description
1901 10	- Preparations for infant use, put up for retail sale
1901 20	- Mixes and doughs for the preparation of bakers' wares of heading no 1905
1901 90 11	- Malt extract:
	-- with a dry extract content of 90% or more by weight
1901 90 19	-- other
1901 90 99	- other
1902	Pasta, excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30; couscous, whether or not cooked
1902 11	- Uncooked pasta, not stuffed or otherwise prepared:
	- containing eggs
1902 19 10	-- not containing flour or common wheat semolina
1902 19 90	-- other
	- Stuffed pasta, whether or not cooked or otherwise prepared:
1902 20 91	-- cooked
1902 20 99	-- other
	- other pasta:
1902 30 10	-- dried
1902 30 90	-- other
1902 40 10	- Couscous:
	-- unprepared
1902 40 90	- other
1903 00 00	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared:
1904 10 10	- Prepared foods obtained by the swelling or roasting of cereals or cereal products:
	-- obtained from maize
1904 10 30	-- obtained from rice
1904 10 90	-- other
1904 90 10	- other:
	-- rice
1904 90 90	-- other
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:
1905 10 00	- Crispbread
1905 20 10	- Gingerbread and the like:
	-- Containing less than 30% by weight of sucrose (including invert sugar expressed as sucrose)
1905 20 30	-- Containing 30% or more but less than 50% by weight of sucrose (including invert sugar expressed as sucrose)
1905 20 90	-- Containing 50% or more by weight of sucrose (including invert sugar expressed as sucrose)
1905 30 11	- Sweet biscuits; waffles and wafers:
	-- Completely or partially coated or covered with chocolate or other preparations containing cocoa:
	--- in immediate packings of a net content not exceeding 85g
1905 30 19	--- other
	-- other:
	--- sweet biscuits
1905 30 30	---- containing 8% or more by weight of milk fats
	---- other
1905 30 51	---- sandwich biscuits

CN code	Description
1905 30 59	---- other -- waffles and wafers
1905 30 91	--- salted, whether or not filled
1905 30 99	--- other
1905 40 10	- Rusks, toasted bread and similar toasted products: -- rusks
1905 40 90	-- other
1905 90 10	-- Matzos
1905 90 20	-- Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products: -- other:
1905 90 30	--- Bread, not containing added honey, eggs, cheese or fruit, and containing by weight in the dry matter state not more than 5% of sugars and not more than 5% of fat
1905 90 40	--- waffles and wafers with a water content not exceeding 10% by weight
1905 90 45	--- Biscuits
1905 90 55	--- Extruded or expanded products, savoury or salted -- other:
1905 90 60	--- with added sweetening matter
1905 90 90	--- other:
2001 90 30	Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved by vinegar or acetic acid
2001 90 40	Yams, sweet potatoes and similar edible parts of plants containing 5% by weight or more of starch, prepared or preserved by vinegar or acetic acid
2004 10 91	Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid, frozen
2004 90 10	Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid, frozen
2005 20 10	Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen
2005 80 00	Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid, not frozen
2008 92 45	Preparation of the Müsli type based on unroasted cereal flakes
2008 99 85	Maize (corn) other than sweet corn (<i>Zea mays var. saccharata</i>) otherwise prepared or preserved, not containing added sugar or spirit
2008 99 91	Yams, sweet potatoes and similar edible parts of plants containing 5% by weight or more of starch, otherwise prepared or preserved, not containing added sugar or spirit
2101 10 98	--- other
2101 20 98	--- other
2101 30 19	Roasted coffee substitutes other than roasted chicory
2101 30 99	Extracts, essences and concentrates of roasted coffee substitutes other than roasted chicory
2102 10 31	- Bakers' yeast
2102 10 39	- other
2105	Ice cream and other edible ice, whether or not containing cocoa
2105 00 10	- containing no milk fats or containing less than 3% by weight of such fats - containing by weight of milk fats:
2105 00 91	-- 3% or more but less than 7%
2105 00 99	-- 7% or more

CN code	Description
2106	Food preparations not elsewhere specified or included
2106 10 80	- other
2106 90 10	- Cheese fondues
	- Flavoured or coloured sugar syrups:
2106 90 98	-- other
2202 90 91	Non-alcoholic beverages, not including fruit or vegetable juices of CN code 2009, containing products of CN codes 0401 to 0404 or fats obtained from products of CN codes 0401 to 0404
2202 90 95	- other, containing by weight of fat obtained from products of CN codes 0401 to 0404
	-- 0.2% or more but less than 2%
2202 90 99	- 2% or more
2905 43 00	Mannitol
2905 44	D-Glucitol (sorbitol)
2905 44 11	- in aqueous solution:
	-- containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content
2905 44 19	- other
	- other:
2905 44 91	-- containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content
2905 44 99	- other
3501	Casein, caseinates and other casein derivatives
3505 10	Dextrins and other modified starches, except esterified and etherified starches of CN code 3505 10 50
3505 10	- Dextrins and other modified starches:
3505 10 10	-- Dextrins
	-- other modified starches
3505 10 90	--- other
3505 20	Glues based on starches, or on dextrins or other modified starches
3809 10	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included
3823 60	Sorbitol other than that of CN code 2905 44
3823 60 11	- in aqueous solution:
	-- containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content
3823 60 19	- other
	- other:
3823 60 91	-- containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content
3823 60 99	- other

ANNEX 2

Products referred to in Article 10(2)

List 1 *

CN CODE	DESCRIPTION	QUOTAS (tonnes)
1519 1519 11 00 1519 12 00 1519 13 00 1519 19 10 1519 19 30 1519 19 90 1519 20 00	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols	3 480
1520 1520 10 00 1520 90 00	Glycerol (glycerine), whether or not pure; glycerol waters and glycerol lyes	154
1704 1704 10 11 1704 10 19 1704 10 91 1704 10 99 1704 90 10 1704 90 30 1704 90 51 1704 90 55 1704 90 61 1704 90 65 1704 90 71 1704 90 75 1704 90 81 1704 90 99	Sugar confectionery (including white chocolate), not containing cocoa	186
1803 18 03 10 18 03 20	Cocoa paste, whether or not defatted	100
1805	Cocoa powder, not containing added sugar or other sweetening matter	431
1806 1806 10 15 1806 10 20 1806 10 30 1806 10 90 1806 20 10 1806 20 30 1806 20 50 1806 20 70 1806 20 80 1806 20 95 1806 31 00 1806 32 10 1806 32 90	Chocolate and other food preparations containing cocoa	180

CN CODE	DESCRIPTION	QUOTAS (tonnes)
1806 90 11 1806 90 19 1806 90 31 1806 90 39 1806 90 50 1806 90 60 1806 90 70 1806 90 90		
1901 1901 10 00 1901 20 00 1901 90 11 1901 90 19 1901 90 91 1901 90 99	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50%, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10%, not elsewhere specified or included;	762
2106 2106 10 20 2106 10 80 2106 90 10 2106 90 92 2106 90 98	Food preparations not elsewhere specified or included;	370
2203	Beer made from malt	255
2208 2208 20 2208 30 2208 40 2208 50 2208 90 19 2208 90 31 2208 90 33 2208 90 41 2208 90 45 2208 90 48 2208 90 52 2208 90 58 2208 90 65 2208 90 69 2208 90 73 2208 90 79	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages	532

CN CODE	DESCRIPTION	QUOTAS (tonnes)
2402 2402 10 00 2402 20 10 2402 20 90 2402 90 00	Cigars	493
2915 90	Other carboxylic acids	153
35 05 35 05 10 10 35 05 10 90 35 05 20 10 35 05 20 30 35 05 20 50 35 05 20 90	Dextrins and other modified starches; glues based on starches, or on dextrins or other modified starches	1398
38 09 38 09 10 10 38 09 10 30 38 09 10 50 38 09 10 90	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs	990

- * Products for which Tunisia will maintain the level of customs charges prevailing on 1 January 1995 for four years, within the tariff quotas shown, in accordance with the first subparagraph of Article 10(3).

In accordance with the second subparagraph of Article 10(3), during the elimination of the industrial component of the duties pursuant to Article 10(4), the level of the duties to be applied in respect of the products for which the tariff quotas are to be abolished may not be higher than the level of the duties in force on 1 January 1995.

List 2

CN CODE	DESCRIPTION
0710 40 00 0711 90 30	Sweet corn, uncooked or cooked by steaming or boiling in water, frozen Sweet corn, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
1702 50 00	Chemically pure fructose
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms
2001 90 30 2001 90 40	Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved by vinegar or acetic acid Yams, sweet potatoes and similar edible parts of plants containing 5% by weight or more of starch, prepared or preserved by vinegar or acetic acid
2004 10 91 2004 90 10	Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid, frozen Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid, frozen
2005 20 10 2005 80 00	Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid, not frozen
2008 92 45 2008 99 85 2008 99 91	Preparation of the Müsli type based on unroasted cereal flakes Maize (corn) other than sweet corn (<i>Zea mays var. saccharata</i>) otherwise prepared or preserved, not containing added sugar or spirit Yams, sweet potatoes and similar edible parts of plants containing 5% by weight or more of starch, otherwise prepared or preserved, not containing added sugar or spirit

CN CODE	DESCRIPTION
2101 10 98	Preparations based on coffee or on coffee extracts, essences or concentrates, excluding preparations under heading NC 2101 10 91
2101 20 98	Extracts, essences and concentrates of tea or maté and preparations with a basis of these extracts, essences and concentrates, or with a basis of tea or maté, excluding products under heading NC 2101 20 10
2101 30 19	Roasted coffee substitutes other than roasted chicory
2101 30 99	Extracts, essences and concentrates of roasted coffee substitutes other than roasted chicory
2905 43 00	Mannitol
2905 44	D-Glucitol (sorbitol)
2904 44 11	- in aqueous solution: -- containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content
2905 44 19	-- other - other:
2905 44 91	-- containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content
2905 44 99	-- other
Ex 3501	Casein, caseinates and other casein derivatives
3823 60	Sorbitol other than that of CN code 2905 44
3823 60 11	- in aqueous solution: -- containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content
3823 60 19	-- other - other:
3823 60 91	-- containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content
3823 60 99	-- other

List 3

CN CODE	DESCRIPTION
ex 1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No 1516:
1517 10 10	- Margarine, excluding liquid margarine, containing more than 10% but not more than 15% by weight of milk fats
1517 90 10	- other, containing more than 10% but not more than 15% by weight of milk fats
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared:
1904 10 10	- Prepared foods obtained by the swelling or roasting of cereals or cereal products: -- obtained from maize
1904 10 30	-- obtained from rice
1904 10 90	-- other
1904 90 10	- other: - rice
1904 90 90	- other
2105	Ice cream and other edible ice, whether or not containing cocoa
2105 00 10	- containing no milk fats or containing less than 3% by weight of such fats - containing by weight of milk fats:
2105 00 91	-- 3% or more but less than 7%
2105 00 99	-- 7% or more
2202 90 91	Non-alcoholic beverages, not including fruit or vegetable juices of CN code 2009, containing products of CN codes 0401 to 0404 or fats obtained from products of CN codes 0401 to 0404
2202 90 95	- other, containing by weight of fat obtained from products of CN codes 0401 to 0404 -- 0,2% or more but less than 2%
2202 90 99	- 2% or more

ANNEX 3

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
.0505100	2513290	2613100	2714109	2821100	2832100	2841900
.0505900	2514000	2613900	2714909	2821200	2832200	2842100
1302120	2516110	2614000	2715002	2823000	2832300	2842901
1302130	2516120	2615100	2715009	2824100	2833110	2842909
1302140	2516210	2615900	2801100	2824200	2833190	2844400
1302190	2516220	2616100	2801200	2824900	2833210	2846100
1302200	2517100	2616900	2801300	2825100	2833220	2846900
1302310	2517200	2617100	2802000	2825200	2833230	2847000
1505100	2517300	2617900	2803000	2825300	2833240	2848100
1505900	2517410	2618000	2804100	2825400	2833250	2848900
1515601	2517490	2619000	2804210	2825500	2833260	2849100
1515609	2518100	2620110	2804290	2825600	2833270	2849200
1516200	2518200	2620190	2804300	2825700	2833290	2849900
1522000	2518300	2620200	2804400	2825800	2833300	2850000
1702909	2519100	2620300	2804500	2825909	2833400	2851001
1804000	2519900	2620400	2804610	2826110	2834220	2851002
2001909	2520100	2621000	2804690	2826120	2835100	2851009
2101200	2521000	2701110	2804800	2826190	2835210	2901100
2101300	2523300	2701120	2804900	2826200	2835220	2901210
2103301	2524000	2701190	2805110	2826300	2835230	2901220
2106100	2525100	2701200	2805190	2826900	2835249	2901230
2106900	2525200	2702100	2805210	2827100	2835260	2901240
2403100	2525300	2702200	2805220	2827200	2835290	2901290
2403910	2526100	2703000	2805300	2827310	2835390	2902110
2403990	2526200	2704001	2809100	2827320	2836100	2902190
2501001	2527000	2704002	2810000	2827330	2836200	2902200
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2506290	2530300	2707401	2814100	2827510	2836990	2903110
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2508100	2601120	2707509	2815120	2828100	2839200	2903140
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2508401	2603000	2707990	2815300	2828909	2840190	2903190
2508409	2604000	2708100	2816100	2829110	2840200	2903210
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2513210	2612200	2714108	2820900	2831900	2841800	2904900

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
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2905130	2910200	2916110	2921420	2933210	3004409	3204200
2905140	2910300	2916120	2921430	2933290	3004501	3204900
2905150	2910900	2916130	2921440	2933310	3004509	3205000
2905160	2911000	2916140	2921450	2933390	3004901	3206100
2905170	2912110	2916150	2921490	2933400	3004909	3206200
2905190	2912120	2916190	2921510	2933510	3006200	3206300
2905210	2912130	2916200	2921590	2933590	3006300	3206410
2905220	2912190	2916310	2922110	2933610	3006400	3206420
2905290	2912210	2916320	2922120	2933690	3006500	3206430
2905310	2912290	2916330	2922130	2933710	3101000	3206490
2905320	2912300	2916390	2922190	2933790	3102100	3206500
2905390	2912410	2917110	2922210	2933900	3102210	3207100
2905410	2912420	2917120	2922220	2934100	3102290	3207200
2905420	2912490	2917130	2922290	2934200	3102300	3207300
2905430	2912500	2917140	2922300	2934300	3102400	3207400
2905440	2912600	2917190	2922410	2934901	3102500	3212100
2905490	2913000	2917200	2922420	2934909	3102600	3212901
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2906110	2914120	2917320	2922500	2940000	3102800	3213900
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2907110	2914300	2918110	2925110	3002310	3104300	3301130
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2909430	2915390	2921190	2932210	3004319	3204130	3403111
2909440	2915400	2921210	2932290	3004321	3204140	3403119
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3403990	3703100	3822000	3909201	4002910	4103200	4703110
3404100	3703200	3823100	3909209	4002990	4103900	4703190
3404200	3703900	3823200	3909301	4003000	4104101	4703210
3404900	3705100	3823300	3909309	4004000	4104102	4703290
3405200	3705200	3823400	3909401	4005100	4104221	4704110
3405300	3705900	3823500	3909409	4005200	4104291	4704190
3405400	3707100	3823600	3909501	4005910	4104311	4704210
3405901	3707900	3823901	3909509	4005990	4104391	4704290
3405909	3801100	3823902	3910001	4006100	4105121	4705000
3407001	3801200	3823903	3910009	4006900	4105201	4706100
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3407009	3801900	3901200	3911900	4009201	4106201	4706920
3501100	3802100	3901300	3912110	4009209	4107210	4706990
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3503009	3805100	3902901	3912900	4009501	4204009	4805400
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3505100	3805900	3903110	3913900	4010101	4401210	4811902
3505200	3806100	3903190	3914000	4010102	4401220	4812000
3506910	3806200	3903200	3918101	4010109	4401300	4813900
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3507100	3807000	3904100	3919900	4010999	4403200	4823901
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3701200	3809920	3904400	3921190	4014901	4403330	4905100
3701910	3809990	3904500	3926201	4014909	4403340	4905910
3701990	3810100	3904610	3926902	4015110	4403350	4905990
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3702510	3814000	3907200	4002190	4017002	4421902	5006001
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3702530	3815120	3907400	4002310	4101210	4501100	5007100
3702540	3815190	3907600	4002390	4101220	4501900	5007201
3702550	3815900	3907910	4002410	4101290	4601200	5007209
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3702910	3817100	3907999	4002510	4101400	4601990	5007909
3702920	3817200	3908100	4002590	4102100	4602100	5101110
3702930	3818000	3908900	4002600	4102210	4602900	5101190
3702940	3820000	3909102	4002700	4102290	4701000	5101210

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5101300	5308900	5502009	5801360	6810200	7017200	7209410
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5103100	5309210	5503300	5806311	6812200	7019200	7209900
5103200	5309290	5503400	5806312	6812300	7019310	7210319
5103300	5310101	5503900	5806321	6812400	7019320	7210391
5104000	5310109	5504100	5806322	6812500	7019390	7210399
5105100	5310901	5504901	5806391	6812600	7019900	7210419
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5107100	5311004	5506900	5902900	6815100	7201100	7210901
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5203000	5402410	5603001	5910000	6903201	7202300	7211300
5204110	5402420	5603002	5911100	6903900	7202410	7211410
5204190	5402430	5603009	5911200	6904101	7202490	7211490
5204200	5402490	5604100	5911310	6904109	7202500	7211900
5207100	5402510	5604200	5911320	6904901	7202600	7212219
5207900	5402520	5604900	5911400	6904909	7202700	7212291
5301100	5402590	5605000	5911901	6905101	7202800	7212299
5301210	5402610	5606001	5911902	6906001	7202910	7212309
5301290	5402620	5606002	5911909	6906009	7202920	7212401
5301300	5402690	5606003	6115921	6909119	7202930	7212409
5302100	5403100	5606009	6115931	6909199	7202990	7212501
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5303100	5403310	5607309	6217100	7002200	7203900	7212601
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5308100	5501900	5801330	6807100	7014000	7209310	7215900
5308200	5502001	5801340	6807900	7015100	7209320	7216100

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7216220	7319300	7501100	7804200	8112190	8419909	8467920
7216310	7319900	7501200	7806001	8112200	8420990	8467990
7216320	7321901	7502100	7806009	8112400	8421120	8469100
7216330	7326190	7502200	7901110	8112910	8421910	8469210
7216400	7326901	7504000	7901120	8112990	8422110	8469290
7216500	7326902	7505110	7901200	8201500	8422190	8469310
7216609	7326903	7505120	7903100	8201600	8423890	8469390
7216900	7401100	7505210	7903900	8202400	8425200	8470101
7217121	7401200	7505220	7904000	8203300	8425310	8470109
7217129	7402000	7506100	7905000	8203400	8425410	8470210
7217139	7403110	7506200	7906001	8204200	8428400	8470290
7217199	7403120	7507110	7906002	8208300	8428600	8470300
7217219	7403130	7507120	7907100	8208901	8428900	8470400
7217229	7403190	7507200	7907901	8209000	8430200	8470900
7217239	7403210	7508001	8001100	8210000	8431100	8472100
7217299	7403220	7508009	8001200	8211940	8431200	8472200
7217319	7403230	7601100	8003001	8212109	8431410	8472300
7217329	7403290	7601200	8003009	8212201	8431420	8473100
7217339	7405000	7603100	8004000	8212209	8431490	8473210
7217399	7406100	7603200	8005100	8212909	8432801	8473290
7218100	7406200	7604101	8005200	8214109	8432901	8473300
7218900	7407100	7604102	8006001	8301500	8433110	8473400
7301200	7407220	7604291	8007001	8301701	8433190	8474320
7302100	7407290	7604292	8007002	8302600	8437100	8475900
7302200	7408111	7605110	8007009	8305100	8437800	8477900
7302300	7408119	7605190	8101100	8305900	8437900	8478100
7302400	7408210	7605210	8101920	8307100	8442400	8478900
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7317002	7417009	7804111	8110001	8418696	8467190	8501511
7318161	7419100	7804112	8110009	8419310	8467810	8501512
7319100	7419910	7804191	8111001	8419901	8467890	8502201
7319200	7419991	7804192	8111009	8419902	8467910	8502202

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
8504230	8516720	8535290	8607300	9008300	9027909	9209930
8504311	8516790	8535400	8607910	9008900	9028100	9209940
8504312	8516800	8536410	8607990	9009110	9028209	9209990
8504500	8517200	8539210	8608009	9009120	9028900	9402102
8504900	8517400	8539229	8701100	9009210	9029201	9402902
8505110	8518211	8539310	8701300	9009220	9029209	9402909
8505190	8518300	8539391	8701900	9009300	9029900	9405501
8505900	8518400	8539400	8703212	9009900	9030900	9502910
8506901	8519290	8540110	8703222	9010300	9031900	9502991
8506909	8519310	8540120	8703322	9010900	9032100	9506110
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8507309	8519400	8540300	8801900	9013900	9033000	9506190
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8516103	8533100	8606920	9007199	9025190	9208900	
8516310	8533210	8607191	9007210	9025209	9209100	
8516320	8533290	8607192	9007290	9025900	9209200	
8516330	8533310	8607199	9007910	9026900	9209300	
8516400	8533900	8607210	9007920	9027400	9209910	
8516500	8535210	8607290	9008100	9027901	9209920	

ANNEX 4

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
1302320	2845100	3208202	3915200	3924900	4302110	4805222
1506000	2845900	3208203	3915300	3925101	4302120	4805229
1521100	2902900	3208901	3915900	3925109	4302130	4805230
1521900	2903290	3208902	3916100	3925200	4302190	4805291
2008910	2903300	3208903	3916200	3925300	4302200	4805299
2101100	2903400	3209101	3916900	3925900	4302300	4805300
2103100	2903622	3209102	3917100	3926100	4303100	4805500
2205100	2904100	3209901	3917210	3926209	4303900	4806100
2205900	2931001	3209902	3917220	3926300	4304000	4806200
2503100	2932120	3210001	3917230	3926400	4408100	4806300
2503900	2936100	3210002	3917290	3926901	4409200	4806400
2510100	2936210	3210003	3917310	3926905	4412110	4807100
2510200	2936220	3211000	3917320	3926906	4412120	4807910
2511101	2936230	3212902	3917330	3926909	4412190	4807990
2511109	2936240	3214101	3917390	4011101	4412210	4808200
2515110	2936250	3214109	3917400	4011202	4412290	4808300
2515200	2936260	3215190	3919100	4011203	4412910	4808900
2516901	2936270	3302100	3920200	4011209	4412990	4810110
2516902	2936280	3401193	3920420	4104109	4414000	4810120
2520200	2936290	3406000	3920510	4104210	4415100	4810210
2522100	2936900	3601001	3920590	4104229	4415200	4810290
2530400	2937100	3601009	3920610	4104299	4416000	4810310
2710001	2937210	3602001	3920620	4104319	4417002	4810320
2710003	2937220	3602002	3920630	4104399	4417009	4810390
2710005	2937290	3602003	3920690	4105110	4418100	4810991
2710009	2937910	3602004	3920710	4105129	4418200	4810992
2713209	2937920	3602009	3920720	4105190	4418300	4811100
2804700	2937990	3603001	3920731	4105209	4418400	4811310
2805400	2938100	3603002	3920739	4106110	4418500	4811399
2806200	2938900	3603003	3920790	4106129	4418901	4811400
2808000	2939100	3603009	3920910	4106190	4418909	4811901
2811190	2939210	3604100	3920920	4106209	4420100	4813100
2811290	2939290	3604901	3920930	4107100	4420900	4813200
2819900	2939300	3604902	3920940	4108000	4421100	4814100
2822000	2939400	3604909	3920990	4109000	4421901	4814200
2828903	2939500	3605000	3921110	4110000	4421904	4814300
2834109	2939600	3606901	3921130	4201000	4421909	4814900
2834299	2939700	3701300	3921900	4205001	4502000	4815000
2837110	2939901	3808301	3922100	4205002	4503100	4818500
2837190	2939909	3808302	3922200	4206101	4503900	4823200
2837200	2941100	3808309	3922900	4206109	4504100	4823400
2838000	2941200	3823909	3923100	4206900	4504900	4823902
2843100	2941300	3902100	3923211	4301100	4601100	4823903
2843210	2941400	3904220	3923219	4301200	4707100	4823905
2843290	2941500	3904690	3923291	4301300	4707200	4904001
2843300	2941900	3905110	3923299	4301400	4707300	4907003
2843900	2942000	3906901	3923300	4301500	4707900	4907009
2844100	3208101	3907501	3923400	4301600	4804110	4908102
2844200	3208102	3907509	3923500	4301700	4804190	4908109
2844300	3208103	3909101	3923900	4301800	4805100	4908902
2844500	3208201	3915100	3924100	4301900	4805221	4908909

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
4909000	5206240	5508101	5514320	5704100	6001291	6601911
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4910009	5206310	5508201	5514390	5802110	6001910	6601991
4911109	5206320	5508209	5514410	5802190	6001920	6601999
4911910	5206330	5509110	5514420	5802200	6001991	6602000
4911990	5206340	5509120	5514430	5802300	6001999	6701001
5106100	5206350	5509210	5514490	5803100	6116100	6701009
5106200	5206410	5509220	5516110	5803900	6117809	6702100
5107200	5206420	5509310	5516120	5804100	6117900	6702900
5111110	5206430	5509320	5516130	5804210	6301100	6703000
5111190	5206440	5509410	5516140	5804290	6306111	6704110
5111200	5206450	5509420	5516210	5806100	6306112	6704190
5111300	5401101	5509510	5516220	5806200	6306121	6704200
5111900	5401102	5509530	5516230	5806319	6306122	6704900
5112110	5401201	5509590	5516240	5806329	6306191	6801000
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5112200	5407100	5509620	5516320	5806400	6306210	6802102
5112300	5407200	5509690	5516330	5807101	6306220	6802220
5112900	5407300	5509910	5516340	5807109	6306290	6802230
5113001	5407410	5509920	5516410	5807901	6306310	6802290
5113002	5407420	5509990	5516420	5807909	6306390	6802920
5202100	5407430	5510110	5516430	5808100	6306410	6802930
5202990	5407440	5510120	5516440	5808901	6306490	6802990
5205110	5407510	5510200	5516910	5808902	6306911	6803000
5205120	5407520	5510300	5516920	5808909	6306919	6804221
5205130	5407530	5510900	5516930	5810100	6306991	6804222
5205140	5407540	5513110	5516940	5810910	6306999	6804223
5205150	5407600	5513120	5601211	5810920	6307900	6804224
5205210	5407710	5513130	5601212	5810990	6308000	6804225
5205220	5407720	5513190	5601221	5811001	6402110	6804229
5205230	5407730	5513210	5601222	5811002	6403110	6804230
5205240	5407740	5513220	5601229	5811003	6406200	6805100
5205250	5407810	5513230	5601291	5811009	6406910	6805200
5205310	5407820	5513290	5601299	5901100	6406991	6805300
5205320	5407830	5513310	5601300	5901900	6406992	6808000
5205330	5407840	5513320	5602100	5904100	6406999	6809110
5205340	5407910	5513330	5602210	5904910	6501001	6809190
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5205420	5407940	5513420	5607101	5906910	6503000	6810910
5205430	5408100	5513430	5607210	5906990	6504000	6810990
5205440	5408210	5513490	5607291	5907001	6505100	6811100
5205450	5408220	5514110	5607299	5907002	6505901	6811200
5206110	5408230	5514120	5607301	5907009	6505902	6811300
5206120	5408240	5514130	5607410	6001101	6505903	6811900
5206130	5408310	5514190	5607491	6001102	6505909	6813100
5206140	5408320	5514210	5607499	6001103	6506100	6813900
5206150	5408330	5514220	5607501	6001104	6506910	6901001
5206210	5408340	5514230	5607509	6001109	6506920	6901002
5206220	5505100	5514290	5607901	6001210	6506990	6901003
5206230	5505200	5514310	5702200	6001220	6601100	6901009

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
6902209	7204290	7217391	7323941	7805001	8301709	8418290
6902909	7204300	7217392	7323949	7805002	8302200	8418694
6903209	7204410	7301100	7323990	7806002	8302300	8418695
6905109	7204490	7304100	7324100	7902000	8302490	8418699
6905901	7204500	7304310	7324211	7907909	8304000	8418991
6905909	7206100	7304391	7324219	8002000	8305200	8418992
6907100	7208310	7304399	7324291	8006002	8306100	8418993
6907901	7208330	7305120	7324299	8101910	8306210	8418994
6908101	7208340	7305310	7324901	8104190	8306290	8418995
6908102	7208350	7305390	7324902	8105100	8306300	8418999
6908108	7208430	7305900	7324909	8109100	8307900	8419110
6908109	7208440	7306100	7326200	8109900	8308100	8419190
6909900	7208450	7306200	7326904	8112110	8308200	8419819
6914101	7208900	7306400	7404000	8112300	8308901	8421991
6914109	7210311	7306500	7407210	8113000	8308902	8421992
6914901	7210411	7308100	7410110	8201100	8308909	8421999
6914909	7212211	7309000	7410120	8201200	8309100	8422900
7001000	7212301	7310100	7411101	8201300	8309901	8423100
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7005301	7213410	7313000	7411290	8202310	8310000	8424900
7005309	7214301	7314110	7413000	8202320	8311200	8425490
7006000	7214401	7314420	7415100	8202990	8311300	8426910
7007111	7214402	7314490	7415210	8205100	8401100	8427900
7007119	7214403	7317004	7415290	8205200	8401300	8428320
7007190	7214501	7317009	7415310	8205300	8401400	8428500
7007211	7214502	7318110	7415320	8205510	8402190	8431310
7007219	7214503	7318130	7415390	8205590	8402200	8431390
7007290	7216601	7318140	7417001	8205600	8404900	8432909
7008000	7217111	7318151	7418100	8205700	8407310	8433200
7009100	7217112	7318153	7418200	8205800	8407320	8433300
7009910	7217119	7318154	7419999	8206000	8407330	8433510
7009920	7217122	7318169	7503000	8207200	8407340	8436290
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7015901	7217132	7318210	7606111	8207400	8408909	8436910
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7016100	7217192	7318240	7607191	8207600	8409990	8438100
7016901	7217211	7318290	7607199	8207700	8413110	8438900
7016909	7217212	7320209	7607201	8207800	8413200	8439910
7018100	7217221	7320900	7607209	8207900	8413910	8439990
7018200	7217222	7321130	7608201	8208200	8413920	8440900
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7117110	7217291	7321902	7612900	8212901	8415819	8448510
7117191	7217292	7321903	7614100	8213000	8415831	8448590
7117192	7217311	7321909	7615200	8214101	8415839	8449000
7117193	7217312	7322900	7616100	8214102	8415900	8450901
7117199	7217321	7323100	7616901	8214200	8416100	8450902
7117900	7217322	7323910	7616909	8214901	8416900	8451900
7204100	7217331	7323920	7802000	8214909	8417200	8452100
7204210	7217332	7323939	7803003	8301600	8417900	8452900

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
8462290	8518100	8535909	8703311	8714199	9101212	9305210
8462910	8518219	8536100	8703312	8714930	9101291	9305290
8465990	8518220	8536209	8703319	8714940	9101292	9305901
8468900	8518291	8536499	8703321	8714960	9101911	9305909
8474900	8518299	8536502	8703329	8714999	9101912	9306100
8478110	8518500	8538619	8703331	8715002	9101991	9306210
8476190	8518900	8536699	8703332	8716900	9101992	9306290
8476900	8519100	8536903	8703339	8802111	9103101	9306301
8479820	8519210	8538100	8703901	8802119	9103109	9306309
8479900	8519910	8538900	8703902	8802121	9103901	9306901
8480200	8519990	8539100	8703909	8802129	9103909	9306909
8481901	8520310	8539291	8704101	8802201	9104000	9307000
8481902	8520390	8539299	8704109	8802209	9105111	9401100
8481909	8520900	8539399	8704211	8802301	9105119	9401801
8483100	8522900	8539900	8704221	8802309	9105191	9401901
8483200	8523902	8540490	8704229	8802401	9105199	9401902
8483300	8523903	8541900	8704319	8802409	9105211	9401909
8483400	8523909	8543100	8704321	8802500	9105219	9402109
8483500	8524905	8544111	8704329	8804000	9105291	9402901
8483600	8524906	8544119	8704900	8805100	9105299	9403901
8483900	8524907	8544190	8705100	8805200	9105911	9403902
8484100	8524909	8544301	8705200	8903100	9105919	9403909
8484909	8525101	8544309	8705300	8903910	9105991	9405101
8502301	8525102	8544591	8705400	8903920	9105999	9405102
8502302	8525300	8544592	8705901	8903990	9106100	9405103
8503000	8527110	8544601	8705909	8906001	9106200	9405104
8504402	8527190	8544602	8706001	8907100	9106900	9405109
8504403	8527210	8544700	8706009	8907900	9111101	9405201
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8515310	8527393	8607120	8708500	9017201	9112801	9405403
8516101	8527394	8702900	8708600	9017801	9112809	9405404
8516210	8527399	8703100	8708700	9025111	9112901	9405405
8516602	8527900	8703211	8708930	9025201	9112909	9405409
8516609	8529109	8703213	8708940	9025801	9113100	9405509
8516710	8529902	8703219	8708991	9028201	9113200	9405600
8516901	8529903	8703221	8708999	9028309	9113901	9405911
8516902	8529905	8703223	8709190	9032891	9113909	9405919
8516909	8529909	8703224	8709900	9032892	9301000	9405920
8517101	8531200	8703229	8710000	9101111	9302000	9405991
8517301	8531800	8703231	8711301	9101112	9303100	9405999
8517302	8531900	8703232	8711309	9101121	9303200	9406000
8517309	8534000	8703239	8711401	9101122	9303300	9501000
8517810	8535100	8703241	8711409	9101191	9303900	9502999
8517901	8535300	8703242	8711500	9101192	9304000	9503100
8517909	8535901	8703249	8711900	9101211	9305100	9503200

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
9503300	9612200						
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9504200	9613201						
9504300	9613209						
9504401	9613301						
9504409	9613309						
9504900	9613801						
9505100	9613809						
9505900	9613901						
9506210	9613909						
9601101	9614100						
9601109	9614201						
9601901	9614209						
9601902	9614900						
9601903	9615110						
9601909	9615190						
9602001	9615901						
9602002	9615902						
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9603100	9616100						
9603210	9616200						
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9603300	9618000						
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9604000	9701900						
9605000	9702000						
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ANNEX 5

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
.0509009	3305200	4011991	4407920	4816200	5208320	5211410
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1518000	3305909	4011994	4408109	4817100	5208410	5211490
2008110	3306100	4011995	4408201	4817200	5208420	5211510
2103200	3306900	4011999	4408209	4817300	5208430	5211520
2103302	3307101	4012101	4408901	4818100	5208490	5211590
2103900	3307109	4012109	4408909	4818200	5208510	5212110
2104100	3307200	4012201	4410100	4818300	5208520	5212120
2104200	3307300	4012209	4410900	4818401	5208530	5212130
2202100	3307410	4012900	4411110	4818402	5208590	5212140
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2207101	3307900	4013109	4411210	4818900	5209120	5212210
2207109	3401119	4013200	4411290	4819100	5209190	5212220
2207201	3401191	4013901	4411310	4819201	5209210	5212230
2207209	3401192	4013909	4411390	4819209	5209220	5212240
2208100	3401200	4016910	4411910	4819300	5209290	5212250
2208901	3402110	4016920	4411990	4819400	5209310	5512110
2208902	3402199	4016930	4419000	4819500	5209320	5512190
2208909	3402200	4016992	4802100	4819600	5209390	5512210
2515121	3402900	4016993	4802510	4820100	5209410	5512290
2515129	3405100	4202110	4802521	4820200	5209420	5512910
2522200	3506100	4202120	4802529	4820300	5209430	5512990
2522300	3606100	4202190	4802530	4820400	5209490	5515110
2523100	3606909	4202210	4802600	4820501	5209510	5515120
2523210	3808101	4202220	4803001	4820509	5209520	5515130
2523290	3808109	4202290	4803009	4820900	5209590	5515190
2523900	3808201	4202310	4804210	4821100	5210110	5515210
2620500	3808209	4202320	4804290	4821900	5210120	5515220
2620900	3808401	4202390	4804310	4822901	5210190	5515290
2710007	3808409	4202911	4804390	4822909	5210210	5515910
2806100	3808901	4202919	4804410	4823110	5210220	5515920
2807000	3808909	4202921	4804420	4823190	5210290	5515990
2809200	3813000	4202929	4804490	4823519	5210310	5601100
2825901	3819000	4202991	4804510	4823590	5210320	5703100
2834219	3920100	4202999	4804520	4823600	5210390	5703200
3005100	3920300	4203101	4804590	4823700	5210410	5703300
3005900	3920410	4203102	4805210	4823909	5210420	5703900
3006100	3923212	4203109	4805600	4901911	5210490	6002100
3006600	3923292	4203210	4805700	4901912	5210510	6002200
3215110	4008110	4203291	4805800	4901991	5210520	6002300
3303001	4008190	4203299	4808100	4901992	5210590	6002410
3303002	4008210	4203301	4809100	5208110	5211110	6002420
3303003	4008290	4203309	4809200	5208120	5211120	6002430
3303004	4009101	4203400	4809900	5208130	5211190	6002491
3304100	4009109	4205009	4810910	5208190	5211210	6002499
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3304300	4011201	4407210	4811210	5208220	5211290	6002920
3304910	4011400	4407220	4811290	5208230	5211310	6002930
3304990	4011500	4407230	4811909	5208290	5211320	6002991
3305100	4011910	4407910	4816100	5208310	5211390	6002999

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
6101100	6104520	6110300	6201120	6204391	6209200	6215200
6101200	6104530	6110901	6201130	6204399	6209300	6215900
6101300	6104591	6110909	6201191	6204410	6209901	6216001
6101901	6104599	6111100	6201199	6204420	6209909	6216009
6101909	6104610	6111200	6201910	6204430	6210100	6301200
6102100	6104620	6111300	6201920	6204440	6210200	6301300
6102200	6104630	6111901	6201930	6204491	6210300	6301400
6102300	6104691	6111909	6201991	6204499	6210400	6301900
6102901	6104699	6112110	6201999	6204510	6210500	6302100
6102909	6105100	6112120	6202110	6204520	6211111	6302210
6103110	6105200	6112191	6202120	6204530	6211112	6302220
6103120	6105901	6112199	6202130	6204591	6211119	6302290
6103191	6105909	6112200	6202191	6204599	6211121	6302310
6103199	6106100	6112310	6202199	6204610	6211122	6302320
6103210	6106200	6112391	6202910	6204620	6211129	6302390
6103220	6106901	6112399	6202920	6204630	6211200	6302400
6103230	6106909	6112410	6202930	6204691	6211311	6302510
6103291	6107110	6112491	6202991	6204699	6211319	6302520
6103299	6107120	6112499	6202999	6205100	6211321	6302530
6103310	6107191	6113000	6203110	6205200	6211329	6302590
6103320	6107199	6114100	6203120	6205300	6211331	6302601
6103330	6107210	6114200	6203191	6205901	6211339	6302602
6103391	6107220	6114300	6203199	6205909	6211391	6302910
6103399	6107291	6114901	6203210	6206100	6211392	6302920
6103410	6107299	6114909	6203220	6206200	6211399	6302930
6103420	6107910	6115110	6203230	6206300	6211411	6302990
6103430	6107920	6115120	6203291	6206400	6211419	6303110
6103491	6107991	6115191	6203299	6206900	6211421	6303120
6103499	6107992	6115199	6203310	6207110	6211429	6303190
6104110	6107999	6115201	6203320	6207191	6211431	6303910
6104120	6108110	6115202	6203330	6207199	6211439	6303920
6104130	6108191	6115209	6203391	6207210	6211491	6303990
6104191	6108199	6115910	6203399	6207220	6211492	6304110
6104199	6108210	6115929	6203410	6207291	6211499	6304190
6104210	6108220	6115939	6203420	6207299	6212101	6304910
6104220	6108291	6115991	6203430	6207910	6212109	6304920
6104230	6108299	6115999	6203491	6207920	6212201	6304930
6104291	6108310	6116910	6203499	6207991	6212209	6304990
6104299	6108320	6116920	6204110	6207999	6212301	6305100
6104310	6108391	6116930	6204120	6208110	6212309	6305200
6104320	6108399	6116991	6204130	6208191	6212901	6305310
6104330	6108910	6116999	6204191	6208199	6212909	6305390
6104391	6108920	6117101	6204199	6208210	6213100	6305900
6104399	6108991	6117102	6204210	6208220	6213200	6310101
6104410	6108999	6117103	6204220	6208291	6213900	6310109
6104420	6109100	6117109	6204230	6208299	6214100	6310901
6104430	6109901	6117201	6204291	6208910	6214200	6310909
6104440	6109902	6117202	6204299	6208920	6214300	6401100
6104491	6109909	6117203	6204310	6208991	6214400	6401910
6104499	6110100	6117209	6204320	6208999	6214900	6401920
6104510	6110200	6201110	6204330	6209100	6215100	6401990

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
6402190	7013310	7110310	7207120	7326909	8403101	8465100
6402200	7013320	7110391	7207190	7409111	8403109	8465910
6402300	7013391	7110399	7207200	7409191	8408100	8465920
6402910	7013399	7110410	7213100	7409211	8408901	8465950
6402990	7013910	7110491	7214200	7409291	8413301	8474311
6403190	7013991	7110499	7216211	7411109	8413302	8481102
6403200	7013992	7111000	7216219	7412200	8413309	8481809
6403300	7013999	7112100	7306300	7419994	8413702	8484901
6403400	7020001	7112200	7306600	7604103	8413709	8501201
6403510	7020009	7112900	7306900	7604210	8413811	8501209
6403590	7101101	7113111	7307110	7604293	8413812	8501400
6403910	7101102	7113112	7307190	7608100	8413819	8501519
6403990	7101210	7113113	7307910	7610100	8415100	8501521
6404110	7101220	7113114	7307920	7610900	8415811	8501529
6404191	7102100	7113119	7308200	7612100	8415820	8502110
6404199	7102210	7113191	7308300	7615100	8418100	8502120
6404201	7102290	7113192	7308400	7616906	8418210	8502130
6404209	7102310	7113193	7308901	8202100	8418220	8504100
6405100	7102390	7113194	7308909	8202200	8418300	8504210
6405200	7103101	7113195	7311000	8202910	8418400	8504220
6405900	7103109	7113196	7312100	8203100	8418500	8504319
6406101	7103911	7113197	7314190	8203200	8418610	8504320
6406109	7103919	7113198	7314200	8204110	8418691	8504330
6802210	7103991	7113199	7314300	8204120	8418692	8504340
6802910	7103999	7113201	7314410	8205400	8418693	8504401
6907902	7104109	7113202	7314500	8205900	8418910	8506110
6907909	7104209	7113203	7315820	8208100	8419811	8506120
6908901	7104909	7113209	7316000	8211100	8421230	8506130
6908902	7105100	7114111	7317001	8211911	8421310	8506190
6908908	7105900	7114119	7317003	8211912	8422400	8507100
6908909	7106100	7114191	7318120	8211919	8423810	8507200
6910100	7106910	7114192	7318159	8211921	8423820	8507903
6910900	7106921	7114193	7318231	8211929	8424100	8515390
6911101	7106922	7114199	7318232	8211931	8424811	8516102
6911109	7106929	7114201	7318239	8211932	8424819	8516290
6911901	7107001	7114209	7320101	8211939	8425421	8516601
6911909	7107002	7115100	7320109	8212101	8425429	8517109
6912001	7108110	7115901	7320201	8215100	8426110	8528100
6912002	7108121	7115902	7321111	8215200	8428100	8528200
6912003	7108129	7115903	7321119	8215910	8432100	8529101
6912009	7108131	7115909	7321120	8215990	8432210	8529102
6913100	7108139	7116101	7321810	8301100	8432290	8529901
6913901	7108200	7116109	7321829	8301200	8432401	8529904
6913909	7109000	7116201	7322110	8301300	8432409	8531100
7010100	7110110	7116209	7322190	8301400	8433400	8536201
7012000	7110191	7118101	7323931	8302100	8436210	8536300
7013100	7110192	7118109	7325100	8302410	8450110	8536491
7013210	7110199	7118901	7325910	8302420	8450120	8536501
7013291	7110210	7118902	7325990	8302500	8450190	8536509
7013292	7110291	7118909	7326110	8303000	8452400	8536611
7013299	7110299	7207110	7326905	8311100	8462390	8536691

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
8536901	8716100	9503490				
8536902	8716200	9503500				
8537100	8716310	9503600				
8537200	8716390	9503700				
8539221	8716400	9503800				
8544112	8716800	9503900				
8544201	9003110	9508620				
8544209	9003191	9608102				
8544410	9003199	9608109				
8544491	9003900	9608202				
8544499	9004109	9608399				
8544511	9004902	9608509				
8544519	9004909	9608991				
8544593	9017101	9609100				
8544599	9018310	9612100				
8544603	9028202					
8544609	9028301					
8607110	9102110					
8609001	9102120					
8609009	9102190					
8701200	9102210					
8702100	9102290					
8704212	9102910					
8704219	9102990					
8704230	9401200					
8704311	9401300					
8708310	9401400					
8708800	9401500					
8708910	9401610					
8708920	9401690					
8708992	9401710					
8708993	9401790					
8711101	9401809					
8711109	9402101					
8711201	9403100					
8711209	9403201					
8712001	9403202					
8712009	9403209					
8714110	9403300					
8714191	9403400					
8714192	9403500					
8714193	9403600					
8714194	9403700					
8714195	9403800					
8714200	9404100					
8714910	9404210					
8714920	9404290					
8714950	9404300					
8714991	9404900					
8714992	9502100					
8715001	9503410					

ANNEX 6

Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No	Tariff No
.0403900								
.0403100								
1902110								
1902190								
1902200								
1902300								
1902400								
1905100								
1905200								
1905300								
1905400								
1905901								
1905902								
1905909								
2102100								
2102200								
2102300								
2201100								
2201900								
5701101								
5701102								
5701103								
5701109								
5701901								
5701902								
5701903								
5701909								
5702100								
5702310								
5702320								
5702390								
5702410								
5702420								
5702490								
5702510								
5702520								
5702590								
5702910								
5702920								
5702990								
5705000								
5804300								
5805000								
6307100								
6309000								

ANNEX 7**relating to intellectual,
industrial and commercial property**

1. By the end of the fourth year after the entry into force of the Agreement, Tunisia shall accede to the following multilateral conventions on the protection of intellectual, industrial and commercial property:
 - International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome, 1961);¹
 - Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure (1977,² amended in 1980);²
 - Patent Cooperation Treaty (1970,³ amended in 1979 and modified in 1984);³
 - International Convention for the Protection of the New Varieties of Plant (Act of Geneva, 1991);
 - Nice Agreement concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Geneva, 1977).⁴
2. The Association Council may decide that paragraph 1 of this Annex applies to other multilateral conventions in this field. In this connection, Tunisia will do its utmost to accede in particular to the conventions to which the Member States of the European Community are party.
3. The Contacting Parties express their attachment to observing the obligations flowing from the following multilateral conventions:
 - Paris Convention for the Protection of Industrial Property in the 1967 Act of Stockholm (Paris Union);⁵
 - Berne Convention for the Protection of Literary and Artistic Works in the Act of Paris of 24 July 1971.⁶

¹ United Nations, *Treaty Series*, vol. 496, p. 43.

² *Ibid.*, vol. 1861, p. 361.

³ *Ibid.*, vol. 1160, p. 231.

⁴ *Ibid.*, vol. 1154, p. 89.

⁵ *Ibid.*, vol. 828, p. 305.

⁶ *Ibid.*, vol. 1161, p. 3.

PROTOCOL NO 1
ON THE ARRANGEMENTS APPLYING TO IMPORTS INTO
THE COMMUNITY OF AGRICULTURAL PRODUCTS ORIGINATING IN TUNISIA

ARTICLE 1

1. The products listed in the Annex, originating in Tunisia, shall be admitted for import into the Community in accordance with the conditions set out below and in the Annex.

2. Import duties shall be either eliminated or reduced by the percentage indicated in respect of each product in column (a).

Where the Common Customs Tariff provides for the application of ad valorem customs duties and a specific customs duty in respect of certain products, the rates of reduction shown in column (a) and in column (c), as referred to in paragraph 3, shall apply only to the ad valorem customs duty.

3. The customs duties shall be eliminated in respect of certain products within the limits of the tariff quotas shown against them in column (b).

The Common Customs Tariff duties in respect of the quantities imported in excess of the quotas shall be reduced by the percentage indicated in column (c).

4. The reference quantities fixed in respect of certain other products exempt from customs duties are shown in column (d).

Where imports of a product exceed the reference quantities, the Community may, having regard to an annual review of trade flows which it shall carry out, make the product concerned subject to a Community tariff quota the volume of which shall be equal to the reference quantity. In such a case, for quantities imported in excess of the quota, the common customs tariff duty shall, according to the product concerned, be applied in full or reduced, as indicated in column (c).

5. For some of the products referred to in paragraphs 3 and 4 and indicated in column (e), the quotas or reference quantities shall be increased from 1 January 1997 to 1 January 2000 on the basis of four equal instalments each corresponding to 3% of these amounts.

6. For some of the products other than those referred to in paragraphs 3 and 4 and indicated in column (e), the Community may fix a reference quantity as provided for in paragraph 4 if, in the light of the annual review of trade which it shall carry out, it establishes that the volume of imports may cause difficulties on the Community market. If, subsequently, the product is subject to a tariff quota under the conditions set out in paragraph 4, the Common Customs Tariff duty shall be applied in full or reduced, depending on the product concerned, by the percentage shown in column (c) in respect of the quantities imported in excess of the quota.

ARTICLE 2

Article 1 shall apply in respect of wines of fresh grapes of heading 2204 of the Combined Nomenclature, originating in Tunisia and entitled to a designation of origin, where such wines are put up in containers holding two litres or less and have an actual alcoholic strength of 15% volume or less.

In accordance with Tunisian law, these wines shall have the following designations: Côteaux de Teboura, Côteaux d'Utique, Sidi Salem, Kelibia, Thibar, Mornag, Grand cru Mornag.

ARTICLE 3

1. Each marketing year from 1 January 1996 to 31 December 1999, within the limits of a quantity of 46 000 tonnes per year, a customs duty of ECU 7,81/100 kg shall be levied on imports into the Community of untreated olive oil of subheadings 1509 10 10 and 1509 10 90 of the Combined Nomenclature wholly obtained in Tunisia and transported directly from Tunisia to the Community.
2. Where imports of olive oil under the above arrangements threaten to disturb the balance of the European Union market, in particular as a result of the latter's obligations relating to this product in the WTO framework, the European Community may take the appropriate measures to remedy this situation.
3. The parties shall reassess the situation during the second half of 1999 with a view to determining the arrangements for the period from 1 January 2000.

ANNEX						
CN code	Description	Rate of reduction of customs duties (%) ^a	Tariff quotas (tonnes) ^b	Rate of reduction of tariff quotas in excess of existing or future tariff quotas (%) ^c	Reference quantities (tonnes) ^d	Provisions specific to
0101 19 10 0101 19 90	Horses for slaughter ⁽¹⁾ other	100 100		80 80		Art. 1(6) Art. 1(6)
ex 0204	Meat of sheep or goats, fresh, chilled or frozen, other than meat of domestic goats	100		-		
0208	Other meat and edible meat offal, fresh, chilled or frozen	100		-		
ex 0602 40	Roses, grafted or not, other than cuttings	100		-		
0603 10	Cut flowers and flower buds, fresh	100	750	-		Art. 1(5)
ex 0701 90 51	New potatoes, from 1 January to 31 March ⁽²⁾	100	15 000	40		Art. 1(5)
ex 0702 00	Tomatoes, from 15 November to 30 April	100 ^(*)		60 ^(*)		Art. 1(6)
ex 0703 10 11 ex 0703 10 19	Onions, from 15 February to 15 May	100		60		Art. 1(6)
ex 0703 20 00	Garlic, from 1 November to 31 March	100		60		Art. 1(6)
ex 0706 10 00	Carrots, from 1 January to 31 March	100		40		Art. 1(6)

⁽¹⁾ Entry under this subheading is subject to conditions laid down by the competent Community authorities.

⁽²⁾ Once Community rules governing potatoes come into force, the period will be extended to 15 April and the rate of duty applying to quantities in excess of the quota will be 50%.

^(*) The rate of reduction applies only to the ad valorem customs duty.

ANNEX

CN code	Description	Rate of reduction of customs duties (%) ^a	Tariff quotas (tonnes) ^b	Rate of reduction of tariff quotas in excess of existing or future tariff quotas (%) ^c	Reference quantities (tonnes) ^d	Provisions specific to
ex 0707 00	Cucumbers, from 10 November to 11 February	100 (°)		0		Art. 1(6)
ex 0708 10 10	Peas (<i>Pisum sativum</i>), from 1 October to 30 April	100		60		Art. 1(6)
ex 0708 20 10	Beans (<i>Vigna</i> spp. <i>Phaseolus</i> spp.), from 1 November to 30 April	100		60		Art. 1(6)
ex 0709 10	Artichokes, from 1 October to 31 December	100 (°)		30 (°)		Art. 1(6)
ex 0709 20 00	Asparagus, from 1 October to 31 March	100		0		Art. 1(6)
ex 0709 30 00	Aubergines, from 1 December to 30 April	60		-		Art. 1(6)
ex 0709 40 00	Celery other than <i>celeriac</i> , from 1 November to 31 March	100		0		Art. 1(6)
0709 60 10	Sweet peppers	100		40		Art. 1(6)
0709 60 99	Other peppers of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i>	100		-		
ex 0709 90 50	Fennel, from 1 November to 31 March	100		0		Art. 1(6)
ex 0709 90	Courgettes, from 1 December to 15 March	60 (°)		-		
ex 0709 90 90	Wild onions of the species <i>Muscari comosum</i> , from 15 February to 15 May Parsley, from 1 November to 31 March	100 100		60 0		Art. 1(6)
0710 80 59	Other peppers of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i>	100		-		
0711 20 10	Olives for uses other than the production of oil (°)	60		-		

(°) Entry under this subheading is subject to conditions to be laid down by the competent Community authorities.

(°) The rate of reduction applies only to the ad valorem customs duty.

ANNEX

CN code	Description	Rate of reduction of customs duties (%) ^a	Tariff quotas (tonnes) ^b	Rate of reduction of tariff quotas in excess of existing or future tariff quotas (%) ^c	Reference quantities (tonnes) ^d	Provisions specific to ^e
0711 30 00	Capers	100		90		Art. I(6)
0711 90 10	Peppers of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> other than sweet peppers	100		-		
0713 10 10	Peas for sowing	100		60		Art. I(6)
0713 50 10	Broad beans and horse beans for sowing	100		60		Art. I(6)
ex 0713	Leguminous vegetables other than those for sowing	100		-		
0802 11 90 0802 12 90	Almonds, whether or not shelled, other than bitter almonds	100		0	1 000	Art. I(5)
ex 0804 10 00	Dates, in immediate packings of a net content of 35kg or less	100		-		
ex 0805 10	Oranges, fresh	100 (*)	31 360	80 (*)		Art. I(5)
ex 0805 10	Oranges, other than fresh	100 (*)		0	1 500	Art. I(5)
ex 0805 20	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh	100 (*)		80 (*)		Art. I(6)
ex 0805 30	Lemons, fresh	100 (*)		80 (*)		Art. I(6)
0805 40	Grapefruit	80		-		
ex 0806	Table grapes, fresh, from 15 November to 30 April	60(*)		-		
ex 0807 10 10	Watermelons, from 1 April to 15 June	50		-		

(*) The rate of reduction applies only to the ad valorem customs duty.

ANNEX

CN code	Description	Rate of reduction of customs duties (%) ^a	Tariff quotas (tonnes) ^b	Rate of reduction of tariff quotas in excess of existing or future tariff quotas (%) ^c	Reference quantities (tonnes) ^d	Provisions specific to ^e
ex 0807 10 90	Melons, from 1 November to 31 May	100		50		Art. 1(6)
0809 10	Apricots	100 (*)		0	2 000	Art. 1(5)
ex 0809 40	Plums, from 1 November to 15 June	60 (*)		-		
ex 0810 10 90	Strawberries, from 1 November to 31 March	100		60		Art. 1(6)
ex 0810 20 10	Raspberries, from 15 May to 15 June	50		-		
ex 0812 90 20	Oranges, finely shredded, provisionally preserved	80		-		
ex 0812 90 95	Other citrus fruit, finely shredded, provisionally preserved	80		-		
0904 12 00	Pepper, crushed or ground	100		-		
0904 20 31 0904 20 35 0904 20 39	Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , neither crushed nor ground (*)	100		-		
0904 20 90	Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , crushed or ground	100		-		
0909	Seeds of anise, badian, fennel, coriander, cumin or caraway; juniper berries	100		-		
0910	Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices	100		-		

(*) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

(†) The rate of reduction applies only to the ad valorem customs duty.

ANNEX

CN code	Description	Rate of reduction of customs duties (%) ^a	Tariff quotas (tonnes) ^b	Rate of reduction of tariff quotas in excess of existing or future tariff quotas (%) ^c	Reference quantities (tonnes) ^d	Provisions specific to
1209 91 90	Other vegetable seeds ⁽⁵⁾	100		60		Art. 1(6)
1209 99 99	Other seeds or fruit, for sowing ⁽⁵⁾	100		60		Art. 1(6)
1211	Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered	100		-		
1212 10 10	Locust beans, including locust bean seeds	100		-		
1212 20 00	Seaweeds and other algae	100		-		
1212 30 00	Apricot, peach or plum stones and kernels	100		-		
1212 99 90	Other plant substances	100		-		
ex 1302 20	Pectic substances and pectinates	25		-		
ex 2001 10 00	Cucumbers, with no added sugar	100		-		
ex 2001 20 00	Onions, with no added sugar	100		-		
2001 90 20	Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , other than sweet peppers	100		-		
2001 90 50	Mushrooms, with no added sugar	100		-		

⁽⁵⁾ This concession relates only to seeds complying with the directives dealing with the selling of seeds and plants.

ANNEX						
CN code	Description	Rate of reduction of customs duties (%) a	Tariff quotas (tonnes) b	Rate of reduction of tariff quotas in excess of existing or future tariff quotas (%) c	Reference quantities (tonnes) d	Provisions specific to e
ex 2001 90 65	Olives, with no added sugar	100		-		
ex 2001 90 70	Sweet peppers, with no added sugar	100		-		
ex 2001 90 75	Salad beetroot, with no added sugar	100		-		
ex 2001 90 85	Red cabbages, with no added sugar	100		-		
ex 2001 90 96	Other, with no added sugar	100		-		
2002 10 10	Tomatoes, peeled	100		30		Art. 1(6)
ex 2002 90	Tomato concentrate	100	2 000	0		Art. 1(5)
2003 10 20	Mushrooms of the species <i>Agaricus</i> , provisionally preserved, completely cooked: - of the species <i>Psalliota</i> - other	100(*) 100(*)		50(*) 60(*)		Art. 1(6) Art. 1(6)
2003 10 30	Other mushrooms of the species <i>Agaricus</i> - of the species <i>Psalliota</i> - other	100(*) 100(*)		50(*) 60(*)		Art. 1(6) Art. 1(6)
2003 10 80	Other mushrooms	100		60		Art. 1(6)
2003 20 00	Truffles	70		-		
2004 10 99	Other potatoes	100		50		Art. 1(6)
ex 2004 90 30	Capers and olives	100		-		
2004 90 50	Peas (<i>Pisum sativum</i>) and green beans	100		20		Art. 1(6)

ANNEX						
CN code	Description	Rate of reduction of customs duties (%) a	Tariff quotas (tonnes) b	Rate of reduction of tariff quotas in excess of existing or future tariff quotas (%) c	Reference quantities (tonnes) d	Provisions specific to e
2004 90 95	Artichokes	100		50		Art. I(6)
2004 90 99	Other : Asparagus, carrots and mixtures Other	100 100		20 50		Art. I(6) Art. I(6)
2005 10 00	Homogenized vegetables: Asparagus, carrots and mixtures Other	100 100		20 50		Art. I(6) Art. I(6)
2005 20 20	Potatoes, thinly sliced, fried or baked, whether or not salted or flavoured, in airtight packings, suitable for immediate consumption	100		50		Art. I(6)
2005 20 80	Other potatoes	100		50		Art. I(6)
2005 40 00	Peas (<i>Pisum sativum</i>)	100		20		Art. I(6)
2005 51 00	Beans, shelled	100		50		Art. I(6)
2005 59 00	Other beans	20		-		
2005 60 00	Asparagus	20		-		
2005 70	Olives	100		-		
2005 90 10	Fruit of the genus <i>Capsicum</i> , other than sweet peppers or pimentos	100		-		
2005 90 30	Capers	100		-		
2005 90 50	Artichokes	100		50		Art. I(6)

ANNEX

CN code	Description	Rate of reduction of customs duties (%) a	Tariff quotas (tonnes) b	Rate of reduction of tariff quotas in excess of existing or future tariff quotas (%) c	Reference quantities (tonnes) d	Provisions specific to e
2005 90 60	Carrots	100		20		Art. 1(6)
2005 90 70	Mixtures of vegetables	100		20		Art. 1(6)
2005 90 80	Other	100		50		Art. 1(6)
2007 10 91	Homogenized preparations of tropical fruit	50		-		
2007 10 99	Other	50		-		
2007 91 90	Citrus fruit, other	50		-		
2007 99 91	Apple purée, including compotes	50		-		
2007 99 98	Other	50		-		
2008 30 51 2008 30 71 ex 2008 30 91 ex 2008 30 99	Grapefruit segments	80		-		
ex 2008 30 55 ex 2008 30 75	Mandarins, (including tangerines and satsumas), finely shredded; clementines, wilkings and similar citrus hybrids, finely shredded	80		-		
ex 2008 30 59 ex 2008 30 79	Oranges and lemons, finely shredded	80		-		
ex 2008 30 91 ex 2008 30 99	Citrus fruit, finely shredded	80		-		
ex 2008 30 91	Citrus pulp	40		-		

ANNEX						
CN code	Description	Rate of reduction of customs duties (%) ^a	Tariff quotas (tonnes) ^b	Rate of reduction of tariff quotas in excess of existing or future tariff quotas (%) ^c	Reference quantities (tonnes) ^d	Provisions specific to ^e
2008 50 61 2008 50 69	Apricots Apricots	100		20		Art. 1(6)
ex 2008 50 92 ex 2008 50 94 ex 2008 50 99	Apricot halves	100		50		Art. 1(6)
ex 2008 50 92 ex 2008 50 94	Apricot pulp	100	5 160	30		
ex 2008 70 92 ex 2008 70 94	Peach (including nectarine) halves	50		-		
ex 2008 70 99	Peach (including nectarine) halves	100		50		Art. 1(6)
ex 2008 92 51 ex 2008 92 59	Mixtures of fruit	100	1 000 ^(f)	55		
ex 2008 92 72 ex 2008 92 74 ex 2008 92 76 ex 2008 92 78	Mixtures of fruit	55	1 000 ^(f)	-		

^(f) Tariff quota common to the six headings relating to mixtures of fruit.

ANNEX

CN code	Description	Rate of reduction of customs duties (%) ^a	Tariff quotas (tonnes) ^b	Rate of reduction of tariff quotas in excess of existing or future tariff quotas (%) ^c	Reference quantities (tonnes) ^d	Provisions specific to
2009 11 2009 19	Orange juice	70 (°)		-		e
2009 20	Grapefruit juice	70 (°)		-		
2009 30 11 2009 30 19	Juice of all other citrus fruit	60 (°)		-		
ex 2009 30 31 2009 30 39	Juice of all other citrus fruit, other than lemon juice	60 (°)		-		
ex 2204	Wine of fresh grapes	100	179 200 hl.	80		
ex 2204	Wine of fresh grapes with a registered designation of origin	100	56 000 hl.	0		Conditions laid down in Art. 2
2301	Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves	100		-		
ex 2302	Brans, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants, other than maize or rice	60		-		

(°) The rate of reduction applies only to the ad valorem customs duty.

PROTOCOL No 2
ON THE ARRANGEMENTS APPLYING TO IMPORTS
INTO THE COMMUNITY OF FISHERY PRODUCTS ORIGINATING IN TUNISIA .

Sole Article

The products listed below, originating in Tunisia, shall be
imported into the Community free of customs duties

CN CODE	DESCRIPTION
Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates
1604 11 00	Salmon
1604 12	Herrings
ex 1604 13 11	Sardines, of the species <i>Sardina pilchardus</i> in olive oil ⁽¹⁾
ex 1604 13 19	Sardines of the species <i>Sardina pilchardus</i> other than in olive oil ⁽¹⁾
1604 14	Tunas, skipjack and bonito (<i>Sarda</i> spp.)
1604 15	Mackerel
1604 16 00	Anchovies
1604 19 10	Salmonidae, other than salmon
1604 19 31	Fish of the genus <i>Euthymnus</i> , other than
1604 19 39	skipjack (<i>Euthymnus</i> (<i>Katsuwonus</i>) <i>pelamis</i>)
1604 19 50	Fish of the species <i>Orcynopsis unicolor</i>
1604 19 91 to	Other
1604 19 98	other prepared or preserved fish:
1604 20	Preparations of surimi
1604 20 05	of salmon
1604 20 10	of salmonidae, other than salmon
1604 20 30	

⁽¹⁾ Within the limits of a Community tariff quota of 100 tonnes common to subheadings ex 1604 13 11, ex 1604 13 19 and ex 1604 20 50.

CN CODE	DESCRIPTION
1604 20 40	of anchovies
ex 1604 20 50	of sardines of the species <i>Sardina pilchardus</i> ⁽¹⁾ of tunas, skipjack
1604 20 70	or other fish of the genus <i>Euthymnus</i>
1604 20 90	of other fish
1604 30	caviar and caviar substitutes
1605 10 00	Crab
1605 20	Shrimps and prawns
1605 30 00	Lobster
1605 40 00	Other crustaceans
1605 90 11	Mussels (<i>Mytilus</i> spp., <i>Perna</i> spp.), in airtight containers
1605 90 19	Other mussels
1605 90 30	Other molluscs
1902 20 10	Stuffed pasta, whether or not cooked or otherwise prepared: containing more than 20% by weight of fish, crustaceans, molluscs or other aquatic invertebrates.

(¹) Within the limits of a Community tariff quota of 100 tonnes common to subheadings ex 1604 13 11, ex 1604 13 19 and ex 1604 20 50.

PROTOCOL No 3
ON THE ARRANGEMENTS APPLYING TO IMPORTS INTO TUNISIA
OF AGRICULTURAL PRODUCTS ORIGINATING IN THE COMMUNITY

Sole Article

The customs duties on import into Tunisia of the products originating in the Community listed in the Annex, shall not be higher than those shown in column (a) within the limits of the tariff quotas shown in column (b).

CN code	Description	Maximum customs duties %	Preferential tariff quotas		Specific provisions
			a	b	
0102 10	Live bovine animals, pure-bred breeding animals	17			
0102 90	Other than pure-bred breeding animals	27	2000	35	(*)
0201 20	Meat of bovine animals, fresh or chilled, other cuts with bone in	27	8000 (1)		(*)
0201 30	Meat of bovine animals, fresh or chilled, boneless	27	8000 (1)		(*)
0202 20	Meat of bovine animals, frozen, other cuts with bone in	27	8000 (1)		(*)
0202 30	Meat of bovine animals, frozen, boneless	27	8000 (1)		(*)
0207 21	Poultry not cut in pieces, frozen (fowls of the species <i>Gallus domesticus</i>)	43	400		(2)
0402 10	Milk and cream, concentrated or containing added sugar or other sweetening matter, in powder, granules or other solid forms, of a fat content, by weight, not exceeding 1.5%	17	9700 (3)		(*)
0402 21	Milk and cream, not containing added sugar or other sweetening matter, in powder, granules or other solid forms, of a fat content, by weight, exceeding 1.5%	17	9700 (3)		(*)
0402 99	Milk and cream, concentrated, other than in powder or other solid forms, including with added sugar or other sweetening matter	17	9700 (3)		(*)
0405 00	Butter and other fats and oils derived from milk	35	250		(*)

(*) The quantities imported under the tariff quota opened by Tunisia within the WTO framework under the current access arrangements are deducted from the preferential tariff quota.

(1) The figure of 8000 tonnes covers all four subheadings.

(2) From 1 July to end February.

(3) The figure of 9700 tonnes covers all three subheadings.

CN code	Description	Maximum customs duties %		Preferential tariff quotas		Specific provisions
		a	b	a	b	
0408 30	Processed cheese, not grated or powdered	27		450		(*)
0407 00	Birds' eggs, in shell, fresh, preserved or cooked - for hatching - gamebirds' eggs - other	- 20 43 43		1100		(4)
0602 99	Other live plants (including their roots) other than those falling within subheadings 0602 10, 0602 20, 0602 30, 0602 40 and 0602 91	43		200		
0701 10	Seed potatoes, fresh or chilled	15		18500		
0701 90	Potatoes, fresh or chilled, other than seed potatoes	43		18500		(5)
0802 22	Hazelnuts or filberts, shelled	43		200		
1001 10	Durum wheat	17		17000		(*)
1001 90	Other than durum wheat	17		230000		(*)
1003 00	Barley	17		12000		(*)
1005 90	Maize (corn), other than seed	17		9000		(*)
1103 11	Groats and meal of wheat	43		300		
1103 13	Groats and meal of maize (corn)	43		800		
1107 10	Malt, not roasted	43		2000		
1108 12	Maize (corn) starch	31		900		
1214 10	Lucerne (alfalfa) meal and pellets	29		700		

(*) The quantities imported under the tariff quota opened by Tunisia within the WTO framework under the current access arrangements are deducted from the preferential tariff quota.

(4) From 1 July to end February.

(5) From 1 October to 31 May.

CN code	Description	Maximum customs duties %	Preferential tariff quotas		Specific provisions
			a	b	
1502 00	Fats of bovine animals, sheep or goats, raw or rendered, whether or not pressed or solvent-extracted	27	600		
1507 10	Soya bean oil, crude, whether or not degummed	15	7500		
1511 00	Palm oil and its fractions, whether or not refined, but not chemically modified	-	300		
	- Crude oil	20			
	- Other	43			
1514 10	Rape, colza or mustard oil, crude	-	30000		
	- of colza	15			
	- other	43			
1514 90	Rape, colza or mustard oil, other than crude	43	900		
1515 11	Linseed oil, crude	20			
1516 10	Animal fats and oils and their fractions	31	400		
1701 99	Cane or beet sugar and chemically pure sucrose, other than raw sugar, not containing added flavouring or colouring matter	15	72000		(*)
1702 30	Glucose and glucose syrup		650		
	- Glucose containing added flavouring or colouring matter	43			
	- Other	20			
1702 90	Sugars, including invert sugar, other than lactose, maple sugar, glucose and fructose, and their syrups	43	200		
	- Other sugars containing added flavouring or colouring matter	29			
	- Other				
2309 10	Dog or cat food, put up for retail sale	43	20		
2309 90	Other animal foods	43	2800		
2401	Tobacco, not stemmed/stripped	25	2800		

(*) The quantities imported under the tariff quota opened by Tunisia within the WTO framework under the current access arrangements are deducted from the preferential tariff quota.

PROTOCOL No 4
CONCERNING THE DEFINITION OF ORIGINATING PRODUCTS
AND METHODS OF ADMINISTRATIVE COOPERATION

TITLE I

GENERAL PROVISIONS

ARTICLE 1

Definitions

For the purposes of this Protocol:

- (a) "manufacture" means any kind of working or processing including assembly or specific operations;
- (b) "material" means any ingredient, raw material, component or part, etc., used in the manufacture of the product;
- (c) "product" means the product being manufactured, even if it is intended for later use in another manufacturing operation;
- (d) "goods" means both materials and products;
- (e) "customs value" means the value as determined in accordance with the Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade of 1994 (WTO Agreement on customs valuation);
- (f) "ex-works price" means the price paid for the product ex-works to the manufacturer in whose undertaking the last working or processing is carried out, including the value of all the materials used, minus all internal taxes which are, or may be, repaid when the product obtained is exported;

- (g) "value of materials" means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in the territories concerned;
- (h) "value of originating materials" means the customs value of such materials as defined in point (g) applied *mutatis mutandis*;
- (i) "chapters" and "headings" means the chapters and the headings (four-digit codes) used in the nomenclature which makes up the Harmonized Commodity Description and Coding System,¹ referred to in this Protocol as "the Harmonized System" or "HS";
- (j) "classified" refers to the classification of a product or material under a particular heading;
- (k) "consignment" means products which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to the consignee or, in the absence of such a document, by a single invoice.

¹ United Nations, *Treaty Series*, vol. 1503, p. 3.

TITLE II

DEFINITION OF THE CONCEPT OF "ORIGINATING PRODUCTS"

ARTICLE 2

Origin criteria

For the purpose of implementing this Agreement and without prejudice to the provisions of Articles 3, 4 and 5 of this Protocol, the following products shall be considered as:

- 1) products originating in the Community:
 - (a) products wholly obtained in the Community, within the meaning of Article 6 of this Protocol;
 - (b) products obtained in the Community which contain materials not wholly obtained there, provided that the said materials have undergone sufficient working and processing in the Community within the meaning of Article 7 of this Protocol;
- 2) products originating in Tunisia:
 - (a) products wholly obtained in Tunisia within the meaning of Article 6 of this Protocol;
 - (b) products obtained in Tunisia which contain materials not wholly obtained there, provided that the said materials have undergone sufficient working or processing in Tunisia within the meaning of Article 7 of this Protocol.

ARTICLE 3

Bilateral cumulation

1. Notwithstanding Article 2(1)(b), materials originating in Tunisia within the meaning of this Protocol shall be considered as materials originating in the Community and it shall not be necessary that such materials have undergone sufficient working or processing there, provided however that they have undergone working or processing going beyond that referred to in Article 8 of this Protocol.

2. Notwithstanding Article 2(2)(b), materials originating in the Community within the meaning of this Protocol shall be considered as materials originating in Tunisia and it shall not be necessary that such materials have undergone working or processing there, provided however that they have undergone working or processing going beyond that referred to in Article 8 of this Protocol.

ARTICLE 4

Cumulation with materials originating in Algeria and Morocco

1. Notwithstanding Article 2(1)(b) and subject to the provisions of paragraphs 3 and 4, materials originating in Algeria or Morocco within the meaning of Protocol No 2 annexed to the Agreements between the Community and these countries shall be considered as originating in the Community and it shall not be necessary that such materials have undergone sufficient working or processing, on condition however that they have undergone working or processing beyond that referred to in Article 8 of this Protocol.

2. Notwithstanding Article 2(2)(b) and subject to the provisions of paragraphs 3 and 4, materials originating in Algeria or Morocco within the meaning of Protocol No 2 annexed to the Agreements between the Community and these countries shall be considered as originating in Tunisia and it shall not be necessary that such materials have undergone sufficient working or processing, on condition however that they have undergone working or processing beyond that referred to in Article 8 of this Protocol.

3. The provisions set out in paragraphs 1 and 2 concerning materials originating in Algeria are only applicable to the extent that trade between the Community and Algeria and between Tunisia and Algeria, is governed by identical rules of origin.

4. The provisions set out in paragraphs 1 and 2 concerning materials originating in Morocco are only applicable to the extent that trade between the Community and Morocco and between Tunisia and Morocco, is governed by identical rules of origin.

ARTICLE 5

Cumulation of working or processing

1. For the purpose of implementing Article 2(1)(b), working or processing carried out in Tunisia, or, when the conditions required by Article 4(3) and (4) are fulfilled, in Algeria or in Morocco shall be considered as having been carried out in the Community when the products obtained undergo subsequent working or processing in the Community.

2. For the purpose of implementing Article 2(2)(b), working or processing carried out in the Community or, when the conditions required by Article 4(3) and (4) are fulfilled, in Algeria or in Morocco shall be considered as having been carried out in Tunisia when the products obtained undergo subsequent working or processing in Tunisia.

3. Where pursuant to the provisions of paragraph 1 or 2 the originating products are obtained in two or more of the States referred to in those provisions or in the Community, they shall be considered as originating products of the State or the Community according to where the last working or processing took place, provided that that working or processing went beyond that referred to in Article 8.

ARTICLE 6

Wholly obtained products

1. Within the meaning of Article 2(1)(a) and (2)(a), the following shall be considered as "wholly obtained" either in the Community or in Tunisia.

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested there;
- (c) live animals born and raised there;
- (d) products from live animals raised there;
- (e) products obtained by hunting or fishing there;
- (f) products of sea fishing and other products taken from the sea by their vessels;
- (g) products made aboard their factory ships exclusively from products referred to in subparagraph (f);
- (h) used articles collected there fit only for the recovery of raw materials, including used tyres fit only for retreading or use as waste;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) products extracted from marine soil or subsoil outside their territorial waters provided that they have sole rights to work that soil or subsoil;
- (k) goods produced exclusively from products specified in subparagraphs (a) to (j).

2. The terms "their vessels" and "their factory ships" in paragraph 1(f) and (g) shall apply only to vessels and factory ships:

- which are registered or recorded in a Member State or in Tunisia,
- which sail under the flag of a Member State or of Tunisia,
- which are owned to the extent of at least 50 per cent by nationals of Member States or of Tunisia, or by a company with its head office in a Member State or in Tunisia, of which the manager or managers, chairman of the board of directors or the supervisory board and the majority of the members of such boards are nationals of Member States or of Tunisia and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to Member States or Tunisia, to public bodies or to nationals of the Member States or Tunisia,
- of which the master and officers are nationals of Member States or of Tunisia,
- of which at least 75% of the crew are nationals of Member States or of Tunisia.

3. Insofar as trade between Tunisia or the Community and Algeria or Morocco are covered by identical rules of origin, the terms "their vessels" and "their factory ships" in paragraph 1(f) and (g) shall also apply to Algerian or Moroccan vessels or factory ships within the meaning of paragraph 2.

4. The terms "Tunisia" and the "Community" shall also cover the territorial waters which surround Tunisia and the Member States of the Community.

Vessels operating on the high seas, including factory ships on which the fish caught is worked or processed, shall be considered as part of the territory of the Community or of Tunisia provided that they satisfy the conditions set out in paragraph 2.

ARTICLE 7

Sufficiently worked or processed products

1. For the purposes of Article 2, non-originating materials are considered to be sufficiently worked or processed when the product obtained is classified in a heading which is different from that in which all the non-originating materials used in its manufacture are classified, subject to paragraph 2 and Article 8.
2. For a product mentioned in columns 1 and 2 of the list in Annex II, the conditions set out in column 3 for the product concerned must be fulfilled instead of the rule set out in paragraph 1.

For the products falling under Chapters 84 to 91, as an alternative to satisfying the conditions set out in column 3, the exporter may opt to apply the conditions set out in column 4 instead.

Where in the list in Annex II a percentage rule is applied in determining the originating status of a product obtained in the Community or in Tunisia the value added by the working or processing shall correspond to the ex-works price of the product obtained, less the value of third-country materials imported into the Community or Tunisia.

3. These conditions indicate, for all products covered by the Agreement, the working or processing which must be carried out on the non-originating materials used in the manufacture of these products, and apply only in relation to such materials. Accordingly, it follows that if a product, which has acquired originating status by fulfilling the conditions set out in the list for that product, is used in the manufacture of another product, the conditions applicable to the product in which it is incorporated do not apply to it, and no account shall be taken of the non-originating materials which may have been used in its manufacture.

ARTICLE 8

Insufficient working or processing operations

For the purpose of implementing Article 7 the following shall be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of heading:

- (a) operations to ensure the preservation of products in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in brine, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, painting, cutting up;
- (c)
 - (i) changes of packaging and division and assembly of packages;
 - (ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packaging operations;
- (d) affixing marks, labels and other like distinguishing signs on products or their packaging;
- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in this Protocol to enable them to be considered as originating in the Community or in Tunisia;
- (f) simple assembly of parts to constitute a complete product;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

ARTICLE 9**Unit of qualification**

1. The unit of qualification for the application of the provisions of this Protocol shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the Harmonized System.

Accordingly, it follows that:

- (a) when a product composed of a group or assembly of articles is classified under the terms of the Harmonized System under a single heading, the whole constitutes the unit of qualification;
- (b) when a consignment consists of a number of identical products classified under the same heading of the Harmonized System, each product must be taken individually when applying the provisions of this Protocol.

2. Where, under general rule 5 of the Harmonized System, packaging is included with the product for classification purposes, it shall be considered to form a whole with the product for the purposes of determining origin.

ARTICLE 10**Accessories, spare parts and tools**

Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle, which are part of the normal equipment and included in the price thereof or which are not separately invoiced, shall be regarded as forming a whole with the piece of equipment, machine, apparatus or vehicle in question.

ARTICLE 11**Sets**

Sets, as defined in general rule 3 of the Harmonized System, shall be regarded as originating when all component products are originating. Nevertheless, when a set is composed of originating and non-originating products, the set as a whole shall be regarded as originating, provided that the value of the non-originating products does not exceed 15 per cent of the ex-works price of the set.

ARTICLE 12**Neutral elements**

In order to determine whether a product originates in the Community or in Tunisia it shall not be necessary to establish whether the electrical energy, fuel, plant and equipment as well as machines and tools used to obtain such product, or whether any goods, used in the course of production which do not enter and which were not intended to enter into the final composition of the product, are originating or not.

TITLE III**TERRITORIAL REQUIREMENTS****ARTICLE 13****Principle of territoriality**

The conditions set out in Title II relative to the acquisition of originating status must be fulfilled without interruption in the Community or in Tunisia without prejudice to the provisions of Articles 4 and 5.

ARTICLE 14

Reimportation of goods

If originating products exported from the Community or Tunisia to another country are returned, except insofar as provided for in Article 4 or 5 they must be considered as non-originating, unless it can be demonstrated to the satisfaction of the customs authorities that:

- (a) the goods returned are the same goods as those exported; and
- (b) they have not undergone any operation beyond that necessary to preserve them in good condition while in that country or while being exported.

ARTICLE 15

Direct transport

1. The preferential treatment provided for under the Agreement applies only to products or materials which are transported between the territories of the Community and Tunisia or, when the provisions of Articles 4 and 5 are applied, of Algeria or Morocco without entering any other territory. However, goods originating in Tunisia or in the Community and constituting one single consignment which is not split up may be transported through territory other than that of the Community or Tunisia or, when the provisions of Article 3 apply, of Algeria or Morocco with, should the occasion arise, transshipment or temporary warehousing in such territory, provided that the goods have remained under the surveillance of the customs authorities in the country of transit or of warehousing and that they have not undergone operations other than unloading, reloading or any operation designed to preserve them in good condition.

Products originating in Tunisia or in the Community may be transported by pipeline across territory other than that of the Community or that of Tunisia.

2. Evidence that the conditions set out in paragraph 1 have been fulfilled may be supplied to the customs authorities of the importing country by the production of:

- (a) a through bill of lading issued in the exporting country covering the passage through the country of transit; or
- (b) a certificate issued by the customs authorities of the country of transit:
 - (i) giving an exact description of the products;
 - (ii) stating the dates of unloading and reloading of the products and, where applicable, the names of the ships used; and
 - (iii) certifying the conditions under which the products remained in the transit country; or
- (c) failing these, any substantiating documents.

ARTICLE 16

Exhibitions

1. Products sent from one of the Contracting Parties for exhibition in a third country and sold after the exhibition for importation in another Contracting Party shall benefit on importation from the provisions of the Agreement on condition that the products meet the requirements of this Protocol entitling them to be recognized as originating in the Community or in Tunisia and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these products from one of the Contracting Parties to the country in which the exhibition is held and has exhibited them there;
- (b) the products have been sold or otherwise disposed of by that exporter to a person in another Contracting Party;

- (c) the products have been consigned during the exhibition or immediately thereafter to the latter Contracting Party in the state in which they were sent for exhibition; and
- (d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A proof of origin must be issued or made out in accordance with the provisions of Title IV and submitted to the customs authorities of the importing country in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the products and the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign products and during which the products remain under customs control.

TITLE IV

PROOF OF ORIGIN

ARTICLE 17

Movement certificate EUR.1

Evidence of originating status of products, within the meaning of this Protocol, shall be given by a Movement certificate EUR.1, a specimen of which appears in Annex III to this Protocol.

ARTICLE 18

Normal procedure for the issue of a Movement certificate EUR.1

1. A Movement certificate EUR.1 shall be issued by the customs authorities of the exporting country on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorized representative.

2. For this purpose, the exporter or his authorized representative shall fill out both the Movement certificate EUR.1 and the application form, specimens of which appear in Annex III.

These forms shall be completed in one of the languages in which the Agreement is drawn up, in accordance with the provisions of the domestic law of the exporting country. If they are handwritten, they shall be completed in ink in printed characters. The description of the products must be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

3. The exporter applying for the issue of a Movement certificate EUR.1 shall be prepared to submit at any time, at the request of the customs authorities of the exporting country where the Movement certificate EUR.1 is issued, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Protocol.

4. The Movement certificate EUR.1 shall be issued by the customs authorities of a Member State of the European Community if the goods to be exported can be considered as products originating in the Community within the meaning of Article 2 (1) of this Protocol. The Movement certificate EUR.1 shall be issued by the customs authorities of Tunisia; if the goods to be exported can be considered as products originating in Tunisia within the meaning of Article 2(2) of this Protocol.

5. Where the cumulation provisions of Articles 2 to 5 are applied, the customs authorities of the Member States of the Community or of Tunisia may issue Movement certificates EUR.1 under the conditions laid down in this Protocol if the goods to be

exported can be considered as originating products within the meaning of this Protocol and provided that the goods covered by the Movement certificates EUR.1 are in the Community or in Tunisia.

In these cases Movement certificates EUR.1 shall be issued subject to the presentation of the proof of origin previously issued or made out. This proof of origin must be kept for at least three years by the customs authorities of the exporting State.

6. The issuing customs authorities shall take any steps necessary to verify the originating status of the products and the fulfilment of the other requirements of this Protocol. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check which they consider appropriate.

The issuing customs authorities shall also ensure that the forms referred to in paragraph 2 are duly completed. In particular, they shall check whether the space reserved for the description of the products has been completed in such a manner as to exclude all possibility of fraudulent additions.

7. The date of issue of the Movement certificate EUR.1 shall be indicated in the part of the certificate reserved for the customs authorities.

8. A Movement certificate EUR.1 shall be issued by the customs authorities of the exporting country when the products to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or ensured.

ARTICLE 19

Movement certificates EUR.1 issued retrospectively

1. Notwithstanding Article 18(8), a Movement certificate EUR.1 may exceptionally be issued after exportation of the products to which it relates if:

- (a) it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances; or

(b) it is demonstrated to the satisfaction of the customs authorities that a Movement certificate EUR.1 was issued but was not accepted at importation for technical reasons.

2. For the implementation of paragraph 1, the exporter must indicate in this application the place and date of exportation of the products to which the Movement certificate EUR.1 relates, and state the reasons for his request.

3. The customs authorities may issue a Movement certificate EUR.1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

4. Movement certificates EUR.1 issued retrospectively must be endorsed with one of the following phrases:

"NACHTRÄGLICH AUSGESTELLT",

"DELIVRE A POSTERIORI",

"RILASCIATO A POSTERIORI",

"AFGEGEVEN A POSTERIORI",

"ISSUED RETROSPECTIVELY",

"UDSTEDT EFTERFØLGENDE",

"ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩΝ",

"EXPEDIDO A POSTERIORI",

"EMITADO A POSTERIORI",

"ANNETTU JÄLKIKÄTEEN",

"UTFÄRDAT I EFTERHAND",

"مسلمة في وقت لاحق".

5. The endorsement referred to in paragraph 4 shall be inserted in the "Remarks" box of the Movement certificate EUR.1.

ARTICLE 20

Issue of a duplicate Movement certificate EUR.1

1. In the event of theft, loss or destruction of a Movement certificate EUR.1, the exporter may apply to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession.
2. The duplicate issued in this way must be endorsed with one of the following words:
"DUPLIKAT", "DUPLICATA", "DUPLICATO",
"DUPLICAAT", "DUPLICATE", "ΑΝΤΙΓΡΑΦΟ",
"DUPLICADO", "SEGUNDA VIA", "KAKSOISKAPPALE",
"نسخة".
3. The endorsement referred to in paragraph 2, the date of issue and the serial number of the original certificate shall be inserted in the "Remarks" box of the duplicate Movement certificate EUR.1.
4. The duplicate, which must bear the date of issue of the original Movement certificate EUR.1, shall take effect as from that date.

ARTICLE 21

Replacement of certificates

1. It shall at any time be possible to replace one or more Movement certificates EUR.1 by one or more other certificates provided that this is done by the customs office responsible for controlling the goods.
2. The replacement certificate shall be regarded as a definite Movement certificate EUR.1 for the purpose of the application of this Protocol, including the provisions of this Article.

3. The replacement certificate shall be issued on the basis of a written request from the re-exporter, after the authorities concerned have verified the information supplied in the applicant's request. The date and serial number of the original Movement certificate EUR.1 shall be given in box 7.

ARTICLE 22

Simplified procedure for the issue of certificates

1. By way of derogation from Articles 18, 19 and 20 of this Protocol, a simplified procedure for the issue of Movement certificates EUR.1 can be used in accordance with the following provisions.
2. The customs authorities in the exporting State may authorise any exporter, hereinafter referred to as "approved exporter", making frequent shipments for which Movement certificates EUR.1 may be issued and who offers, to the satisfaction of the competent authorities, all guarantees necessary to verify the originating status of the products, not to submit at the time of export to the customs office of the exporting State or territory either the goods or the application for an EUR.1 certificate relating to those goods, for the purpose of obtaining an EUR.1 certificate under the conditions laid down in Article 18 of this Protocol.
3. The authorization referred to in paragraph 2 shall stipulate, at the choice of the competent authorities, that box No 11 "Customs endorsement" of the Movement certificate EUR.1 must:
 - (a) either be endorsed beforehand with the stamp of the competent customs office of the exporting State and the signature, which may be a facsimile, of an official of that office; or
 - (b) be endorsed by the approved exporter with a special stamp which has been approved by the customs authorities of the exporting State and corresponds to the specimen given in Annex V of this Protocol. Such stamp may be pre-printed on the forms.

4. In the cases referred to in paragraph 3(a), one of the following phrases shall be entered in box No 7 "Remarks" of the Movement certificate EUR.1:

"PROCEDIMIENTO SIMPLIFICADO",
"FORENKLET PROCEDURE",
"VEREINFACHTES VERFAHREN",
"ΑΠΛΟΥΣΤΥΜΕΝΗ ΔΙΑΔΙΚΑΣΙΑ",
"SIMPLIFIED PROCEDURE",
"PROCEDURE SIMPLIFIEE",
"PROCEDURA SEMPLIFICATA",
"VEREENVOUGIGDE PROCEDURE",
"PROCEDIMENTO SIMPLIFICADO",
"YKSINKERTAISTETTU MENETTELY",
"FÖRENKLAD PROCEDUR",
"أصول مبسطة".

5. Box No 11 "Customs endorsement" of the EUR.1 certificate shall be completed if necessary by the approved exporter.

6. The approved exporter shall, if necessary, indicate in box No 13 "Request for verification" of the EUR.1 certificate the name and address of the authority competent to verify such a certificate.

7. Where the simplified procedure is applied, the customs authorities of the exporting State may prescribe the use of EUR.1 certificates bearing a distinctive sign by which they may be identified.

8. In the authorization referred to in paragraph 2 the competent authorities shall specify in particular:

- (a) the conditions under which the applications for EUR.1 certificates are to be made;
- (b) the conditions under which these applications are to be kept for at least three years;
- (c) in the cases referred to in paragraph 3(b) the authority competent to carry out the subsequent verification referred to in Article 33 of this Protocol.

9. The customs authorities of the exporting State may declare certain categories of goods ineligible for the special treatment provided for in paragraph 2.

10. The customs authorities shall refuse the authorization referred to in paragraph 2 to exporters who do not offer all the guarantees which they consider necessary. The competent authorities may withdraw the authorization at any time. They must do so where the approved exporter no longer satisfies the conditions or no longer offers these guarantees.

11. The approved exporter may be required to inform the competent authorities, in accordance with the rules which they lay down, of the goods to be dispatched by him, so that such authorities may make any verification they think necessary before the departure of the goods.

12. The customs authorities of the exporting State may carry out any check on approved exporters which they consider necessary. Such exporters must allow this to be done.

13. The provisions of this Article shall be without prejudice to the application of the rules of the Community, the Member States and Tunisia concerning customs formalities and the use of customs documents.

ARTICLE 23

Information certificate and declaration

1. When Articles 3, 4 and 5 are applied for the issue of a Movement certificate EUR.1 the competent customs office in the State requested to issue the certificate for products in the manufacture of which products coming from Algeria, Morocco or the Community are used, shall take into consideration the declaration, of which a specimen is given in Annex VI, given by the exporter in the State from which it came, either on the commercial invoice applicable to these products, or on a supporting document to that invoice.

2. The submission of the information certificate, issued under the conditions set out in paragraph 3 and of which a specimen is given in Annex VII, may however be requested of the exporter by the customs office concerned, either for checking the authenticity and accuracy of information given on the declaration provided for in paragraph 1, or for obtaining additional information.

3. The information certificate concerning the products taken into use shall be issued at the request of the exporter of these products, either in the circumstances envisaged in paragraph 2, or at the initiative of this exporter, by the competent customs office in the State from which these goods were exported. It shall be made out in duplicate. One copy shall be given to the exporter who has requested it, who shall send it either to the exporter of the final products or to the customs office where the issue of the Movement certificate EUR.1 for these products has been requested. The second copy shall be preserved by the office which has issued it for at least three years.

ARTICLE 24

Validity of proof of origin

1. A Movement certificate EUR.1 shall be valid for four months from the date of issue in the exporting country, and must be submitted within the said period to the customs authorities of the importing country.

2. Movement certificates EUR.1 which are submitted to the customs authorities of the importing country after the final date for presentation specified in paragraph 1 may be accepted for the purpose of applying preferential treatment, where the failure to submit these documents by the final date set is due to reasons of force majeure or exceptional circumstances.

3. In other cases of belated presentation, the customs authorities of the importing country may accept the Movement certificates EUR.1 where the products have been submitted to them before the said final date.

ARTICLE 25

Submission of proof of origin

Movement certificates EUR.1 shall be submitted to the customs authorities of the importing country in accordance with the procedures applicable in that country. The said authorities may require a translation of a Movement certificate EUR.1 or an invoice declaration. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the Agreement.

ARTICLE 26

Importation by instalments

Where, at the request of the importer and on the conditions laid down by the customs authorities of the importing country, dismantled or non-assembled products within the meaning of general rule 2(a) of the Harmonized System falling within Chapters 84 and 85 of the Harmonized System are imported by instalments, a single proof of origin for such products shall be submitted to the customs authorities upon importation of the first instalment.

ARTICLE 27

Invoice declaration

1. Notwithstanding Article 17, the evidence of originating status, within the meaning of this Protocol, may be given by an invoice declaration, the text of which appears in Annex IV to this Protocol, made by the exporter on an invoice, a delivery note or other commercial document (hereafter referred to as "invoice declaration") describing the products concerned in sufficient detail as to permit the identification of consignments containing only originating products and whose value does not exceed ECU 5 110 per consignment

2. The invoice declaration shall be completed and signed by the exporter or, under the exporters responsibility, by his authorized representative in accordance with this Protocol.
3. An invoice declaration shall be completed for each consignment.

ARTICLE 29

Preservation of proof of origin and supporting documents

1. The exporter applying for the issue of a Movement certificate EUR.1 shall keep for at least three years the documents referred to in Article 18(1) and (3).
2. The exporter making out an invoice declaration shall keep for at least three years a copy of this invoice declaration as well as the documents referred to in Article 27(1).
3. The customs authorities of the exporting country issuing a Movement certificate EUR.1 shall keep for at least three years the application form referred to in Article 18(2).
4. The customs authorities of the importing country shall keep for at least three years the Movement certificates EUR.1 submitted to them.

ARTICLE 30

Discrepancies and formal errors

1. The discovery of slight discrepancies between the statements made in a Movement certificate EUR.1, or in an invoice declaration and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not ipso facto render the Movement certificate EUR.1, or the invoice declaration null and void if it is duly established that this document does correspond to the products submitted.

2. Obvious formal errors such as typing errors on a Movement certificate EUR.1, or an invoice declaration should not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in this document.
4. The exporter who applied for the invoice declaration shall submit at the request of the customs authorities of the exporting State all supporting documents concerning the use of this form.
5. Articles 24 and 25 shall apply mutatis mutandis to the invoice declaration.

ARTICLE 28

Exemptions from formal proof of origin

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the submission of a formal proof of origin, provided that such products are not imported by way of trade and have been declared as meeting the requirements of this Protocol and where there is no doubt as to the veracity of such a declaration. In the case of products sent by post, this declaration can be made on the customs declaration C2/CP3 or on a sheet of paper annexed to that document.
2. Imports which are occasional and consist solely of products for the personal use of the recipients or travellers or their families shall not be considered as imports by way of trade if it is evident from the nature and quantity of the products that no commercial purpose is in view.
3. Furthermore, the total value of these products must not exceed ECU 500 in the case of small packages or ECU 1 200 in the case of products forming part of travellers' personal luggage.

ARTICLE 31

Amounts expressed in ecus

1. Amounts in the national currency of the exporting country equivalent to the amounts expressed in ecus shall be fixed by the exporting country and communicated to the other Contracting Parties. When the amounts exceed the corresponding amounts fixed by the importing country, the latter shall accept them if the products are invoiced in the currency of the exporting country or in the currency of one of the other countries referred to in Article 4 of this Protocol.

If the goods are invoiced in the currency of another Member State of the Community the importing State shall recognize the amount notified by the country concerned.

2. Up to and including 30 April 2000, the amounts to be used in any given national currency shall be the equivalent in that national currency of the amounts expressed in ecus as at 1 October 1994.

For each successive period of five years, the amounts expressed in ecus and their equivalents in the national currencies of the States shall be reviewed by the Association Council on the basis of the exchange rates of the ecu on the first working day of October in the year immediately preceding that five-year period.

When carrying out this review, the Association Council shall ensure that there will be no decrease in the amounts to be used in any national currency and shall furthermore consider the desirability of preserving the effects of the limits concerned in real terms. For this purpose, it may decide to modify the amounts expressed in ecus.

TITLE V

ARRANGEMENTS FOR ADMINISTRATIVE COOPERATION

ARTICLE 32

Communication of stamps and addresses

The customs authorities of the Member States and of Tunisia shall provide each other, through the Commission of the European Communities, with specimen impressions of stamps used in their customs offices for the issue of EUR.1 certificates and with the addresses of the customs authorities responsible for issuing Movement certificates EUR.1 and for verifying those certificates and invoice declarations.

ARTICLE 33

Verification of Movement certificates EUR.1, invoice
declaration and information certificate

1. Subsequent verification of Movement certificates EUR.1 and invoice declaration shall be carried out randomly or whenever the customs authorities of the importing state have reason to doubt the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of this Protocol.
2. For the purposes of implementing the provisions of paragraph 1, the customs authorities of the importing country shall return the Movement certificate EUR.1, the invoice declaration, or a copy of these documents, to the customs authorities of the exporting country giving, where appropriate, the reasons of substance or form for an inquiry.

In order to assist with the verification, the customs authorities shall provide all the necessary documents and any information collected which indicate that the information on the EUR.1 certificate or the invoice declaration are incorrect.

3. The verification shall be carried out by the customs authorities of the exporting country. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check which they consider appropriate.

4. If the customs authorities of the importing country decide to suspend the granting of preferential treatment to the products concerned while awaiting the results of the verification, they shall offer to release the products to the importer subject to any precautionary measures judged necessary.

5. The customs authorities requesting the verification shall be informed of the results of this verification within a maximum of ten months. These results must indicate clearly whether the documents are authentic and whether the products concerned can be considered as originating products and fulfil the other requirements of this Protocol.

6. If in cases of reasonable doubt there is no reply within ten months or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, the requesting customs authorities shall, except in exceptional circumstances, refuse entitlement to the preferences.

7. The subsequent verification of information certificates provided for by Article 23 shall be carried out in the cases mentioned in paragraph 1 and in accordance with the procedures laid down in paragraphs 2 to 6.

ARTICLE 34**Dispute settlement**

Where disputes arise in relation to the verification procedures of Article 33 which cannot be settled between the customs authorities requesting a verification and the customs authorities responsible for carrying out this verification or where they raise a question as to the interpretation of this Protocol, they shall be submitted to the Customs Cooperation Committee.

In all cases the settlement of disputes between the importer and the customs authorities of the importing State shall be under the legislation of the said State.

ARTICLE 35**Penalties**

Penalties shall be imposed on any person who draws up, or causes to be drawn up, a document which contains incorrect information for the purpose of obtaining a preferential treatment for products.

ARTICLE 36**Free zones**

1. The Member States and Tunisia shall take all necessary steps to ensure that products traded under cover of a Movement certificate EUR.1, which in the course of transport use a free zone situated in their territory, are not substituted by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

2. By means of an exemption to the provisions contained in paragraph 1, when products originating in the Community or in Tunisia and imported into a free zone under cover of an EUR.1 certificate undergo treatment or processing, the authorities concerned must issue a new EUR.1 certificate at the exporter's request, if the treatment or processing undergone is in conformity with the provisions of this Protocol.

TITLE VI

CEUTA AND MELILLA

ARTICLE 37

Application of the Protocol

1. The term "Community" used in this Protocol does not cover Ceuta or Melilla. The term "products originating in the Community" does not cover products originating in these zones.
2. This protocol shall apply *mutatis mutandis* to products originating in Ceuta and Melilla, subject to particular conditions set out in Article 38.

ARTICLE 38

Special conditions

1. The following provisions shall apply instead of Articles 2 to 4(1) and (2) and references to these Articles shall apply *mutatis mutandis* to this Article.

2. Providing they have been transported directly in accordance with the provisions of Article 15, the following shall be considered as:

1) products originating in Ceuta and Melilla:

(a) products wholly obtained in Ceuta and Melilla;

(b) products obtained in Ceuta and Melilla in the manufacture of which products other than those referred to in (a) are used, provided that:

(i) the said products have undergone sufficient working or processing within the meaning of Article 7 of this Protocol;

or that

(ii) those products are originating in Tunisia or the Community within the meaning of this Protocol, or when the conditions required in Article 4(3) and (4) are fulfilled from Algeria or from Morocco provided that they have been submitted to working or processing which goes beyond the insufficient working or processing referred to in Article 8.

2) products originating in Tunisia:

(a) products wholly obtained in Tunisia;

(b) products obtained in Tunisia, in the manufacture of which products other than those referred to in (a) are used, provided that:

(i) the said products have undergone sufficient working or processing within the meaning of Article 7 of this Protocol;

or that

- (ii) those products are originating in Ceuta and Melilla or the Community within the meaning of this Protocol, or when the conditions required in Article 4(3) and (4) are fulfilled from Algeria or from Morocco provided that they have been submitted to working or processing which goes beyond the insufficient working or processing referred to in Article 8.

3. Ceuta and Melilla shall be considered as a single territory.

4. The exporter or his authorized representative shall enter "Tunisia" and "Ceuta and Melilla" in box 2 of Movement certificates EUR.1. In addition, in the case of products originating in Ceuta and Melilla, this shall be indicated in box 4 of Movement certificates EUR.1.

5. The Spanish customs authorities shall be responsible for the application of this Protocol in Ceuta and Melilla.

TITLE VII

FINAL PROVISIONS

ARTICLE 39

Amendments to the Protocol

The Association Council may decide to amend the provisions of this protocol at the request of one of the contracting parties or of the customs cooperation committee

ARTICLE 40**Customs Cooperation Committee**

1. A Customs Cooperation Committee shall be set up, charged with carrying out administrative cooperation with a view to the correct and uniform application of this Protocol and with carrying out any other tasks in the customs field which may be entrusted to it.
2. The Committee shall be composed, on the one hand, of experts of the Member States and of officials of the Commission of the European Communities who are responsible for customs questions and, on the other hand, of experts nominated by Tunisia.

ARTICLE 41**Annexes**

The Annexes to this Protocol shall form an integral part thereof.

ARTICLE 42**Implementation of the Protocol**

The Community and Tunisia shall each take the steps necessary to implement this Protocol.

ARTICLE 43**Arrangements with Algeria and Morocco**

The Contracting Parties shall take any measures necessary for the conclusion of arrangements with Morocco and Algeria enabling this Protocol to be applied. The Contracting Parties shall notify each other of measures taken to this effect.

ARTICLE 44**Goods in transit or storage**

The provisions of the Agreement may be applied to goods which comply with the provisions of this Protocol and which on the date of entry into force of the Agreement are either in transit or are in the Community or in Tunisia or, insofar as the provisions of Articles 3, 4 and 5 are applicable, in Algeria or Morocco in temporary storage in bonded warehouses or in free zones, subject to the submission to the customs authorities of the importing State, within four months of that date, of a certificate EUR.1 endorsed retrospectively by the competent authorities of the exporting State together with the documents showing that the goods have been transported directly.

Annex I

INTRODUCTORY NOTES

Foreword

These notes shall apply, where appropriate, to all manufactured products using non-originating materials, even if they are not subject to specific conditions contained in the list in Annex II but are subject instead to the change of heading rule set out in Article 7(1).

Note 1

- 1.1. The first two columns in the list describe the product obtained. The first column gives the heading number, or the chapter number, used in the Harmonized System and the second column gives the description of goods used in that system for that heading or chapter. For each entry in the first two columns a rule is specified in columns 3 or 4. Where, in some cases, the entry in the first column is preceded by an "ex", this signifies that the rule in columns 3 or 4 only applies to the part of that heading or chapter as described in column 2.
- 1.2. Where several heading numbers are grouped together in column 1 or a chapter number is given and the description of product in column 2 is therefore given in general terms, the adjacent rule in columns 3 or 4 applies to all products which, under the Harmonized System, are classified within headings of the chapter or within any of the headings grouped together in column 1.

Note 2

- 2.1. In the case of any heading not in the list or any part of a heading that is not in the list, the "change of heading" rule set out in Article 7(1) applies. If a "change of heading" condition applies to any entry in the list, then it is contained in the rule in column 3.

- 2.2. The working or processing required by a rule in column 3 has to be carried out only in relation to the non-originating materials used. The restrictions contained in a rule in column 3 likewise apply only to the non-originating materials used.
- 2.3. Where a rule states that "materials of any heading" may be used, materials of the same heading as the product may also be used, subject, however, to any specific limitations which may also be contained in the rule. However, the expression "manufacture from materials of any heading, including other materials of heading No" means that only materials classified in the same heading as the product of a different description than that of the product as given in column 2 of the list may be used.
- 2.4. If a product made from non-originating materials which has acquired originating status during manufacture by virtue of the change of heading rule or its own list rule is used as a material in the process of manufacture of another product, then the rule applicable to the product in which it is incorporated does not apply to it.

For example:

An engine of heading No 8407, for which the rule states that the value of the non-originating materials which may be incorporated may not exceed 40% of the ex-works price, is made from "other alloy steel roughly shaped by forging" of heading No 7224.

If this forging has been forged in the country concerned from a non-originating ingot then the forging has already acquired origin by virtue of the rule for heading No ex 7224 in the list. It can then count as originating in the value calculation for the engine regardless of whether it was produced in the same factory or another. The value of the non-originating ingot is thus not taken into account when adding up the value of the non-originating materials used.

- 2.5. Even if the change of heading rule or the other rules contained in the list are satisfied, a product shall not acquire originating status if the processing carried out, taken as a whole, is insufficient within the meaning of Article 6.

Note 3

3.1. The rule in the list represents the minimum amount of working or processing required and the carrying out of more working or processing also confers originating status; conversely, the carrying out of less working or processing cannot confer origin. Thus if a rule says that non-originating material at a certain level of manufacture may be used, the use of such material at an earlier stage of manufacture is allowed and the use of such material at a later stage is not.

3.2. When a rule in the list specifies that a product may be manufactured from more than one material, this means that any one or more materials may be used. It does not require that all be used.

For example:

The rule for fabrics say that natural fibres may be used and that chemical materials, among other materials, may also be used. This does not mean that both have to be used; one can use one or the other or both.

If, however, a restriction applies to one material and other restrictions apply to other materials in the same rule, then the restrictions only apply to the materials actually used.

For example:

The rule for sewing machines specifies that both the thread tension mechanism used and the zigzag mechanism used must originate; these two restrictions only apply if the mechanisms concerned are actually incorporated into the sewing machine.

3.3. When a rule in the list specifies that a product must be manufactured from a particular material, the condition obviously does not prevent the use of other materials which, because of their inherent nature, cannot satisfy the rule.

For example:

The rule for heading No 1904 which specifically excludes the use of cereals or their derivatives does not prevent the use of mineral salts, chemicals and other additives which are not produced from cereals.

For example:

In the case of an article made from non-woven materials, if the use of only non-originating yarn is allowed for this class of article, it is not possible to start from non-woven cloth even if non-woven cloths cannot normally be made from yarn. In such cases, the starting material would normally be at the stage before yarn that is the fibre stage.

See also Note 6.3 in relation to textiles.

- 3.4. If in a rule in the list two or more percentages are given for the maximum value of non-originating materials that can be used, then these percentages may not be added together. The maximum value of all the non-originating materials used may never exceed the highest of the percentages given. Furthermore, the individual percentages must not be exceeded in relation to the particular materials they apply to.

Note 4

- 4.1. The term "natural fibres" is used in the list to refer to fibres other than artificial or synthetic fibres and is restricted to the stages before spinning takes place, including waste, and, unless otherwise specified, the term "natural fibres" includes fibres that have been carded, combed or otherwise processed but not spun.
- 4.2. The term "natural fibres" includes horsehair of heading No 0503, silk of heading Nos 5002 and 5003 as well as the wool fibres, fine or coarse animal hair of heading Nos 5101 to 5105, the cotton fibres of heading Nos 5201 to 5203 and the other vegetable fibres of heading Nos 5301 to 5305.

- 4.3. The terms "textile pulp", "chemical materials" and "paper-making materials" are used in the list to describe the materials not classified in Chapters 50 to 63, which can be used to manufacture artificial, synthetic or paper fibres or yarns.
- 4.4. The term "man-made staple fibres" is used in the list to refer to synthetic or artificial filament tow, staple fibres or waste, of headings Nos 5501 to 5507.

Note 5

- 5.1. In the case of the products classified within those headings in the list to which a reference is made to this Note, the conditions set out in column 3 of the list shall not be applied to any basic textile materials used in their manufacture which, taken together, represent 10% or less of the total weight of all the basic textile materials used (but see also Notes 5.3 and 5.4 below).
- 5.2. However, this tolerance may only be applied to mixed products which have been made from two or more basic textile materials.

The following are the basic textile materials:

- silk,
- wool,
- coarse animal hair,
- fine animal hair,
- horsehair,
- cotton,
- paper-making materials and paper,
- flax,

- true hemp,
- jute and other textile bast fibres,
- sisal and other textile fibres of the genus *Agave*,
- coconut, abaca, ramie and other vegetable textile fibres,
- synthetic man-made filaments,
- artificial man-made filaments,
- synthetic man-made staple fibres,
- artificial man-made staple fibres.

For example:

A yarn of heading No 5205 made from cotton fibres of heading No 5203 and synthetic staple fibres of heading No 5506 is a mixed yarn. Therefore, non-originating synthetic staple fibres that do not satisfy the origin rules (which require manufacture from chemical materials or textile pulp) may be used up to a weight of 10% of the yarn.

For example:

A woollen fabric of heading No 5112 made from woollen yarn of heading No 5107 and synthetic yarn of staple fibres of heading No 5509 is a mixed fabric. Therefore synthetic yarn which does not satisfy the origin rules (which require manufacture from chemical materials or textile pulp) or woollen yarn that does not satisfy the origin rules (which require manufacture from natural fibres, not carded or combed or otherwise prepared for spinning) or a combination of the two may be used up to a weight of 10% of the fabric.

For example:

Tufted textile fabric of heading No 5802 made from cotton yarn of heading No 5205 and cotton fabric of heading No 5210 is only a mixed product if the cotton fabric is itself a mixed fabric being made from yarns classified in two separate headings or if the cotton yarns used are themselves mixtures.

For example:

If the tufted textile fabric concerned had been made from cotton yarn of heading No 5205 and synthetic fabric of heading No 5407, then, obviously, the yarns used are two separate basic textile materials and the tufted textile fabric is accordingly a mixed product.

For example:

A carpet with tufts made from both artificial yarns and cotton yarns and with a jute backing is a mixed product because three basic textile materials are used. Thus, any non-originating materials that are at a later stage of manufacture than the rule allows may be used, provided their total weight taken together does not exceed 10% of the weight of the textile materials in the carpet. Thus, both the jute backing and/or the artificial yarns could be imported at that stage of manufacture, provided the weight conditions are met.

- 5.3. In the case of fabrics incorporating "yarn made of polyurethane segmented with flexible segments of polyether whether or not gimped" this tolerance is 20% in respect of this yarn.

- 5.4. In the case of fabrics incorporating strip consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium powder, of a width not exceeding 5 mm, sandwiched by means of an adhesive between two films of plastic film, this tolerance is 30% in respect of this strip.

Note 6

- 6.1. In the case of those textile products which are marked in the list by a footnote referring to this note, textile materials with the exception of linings and interlinings which do not satisfy the rule set out in the list in column 3 for the made up products concerned may be used provided that they are classified in a heading other than that of the product and that their value does not exceed 8% of the ex-works price of the product.
- 6.2. Materials which are not classified within Chapters 50 to 63 may be used freely, whether or not they contain textiles.

Example:

If a rule in the list provides that for a particular textile item, such as trousers, yarn must be used, this does not prevent the use of metal items, such as buttons, because buttons are not classified within Chapters 50 to 63. For the same reason, it does not prevent the use of slide-fasteners even though slide-fasteners normally contain textiles.

- 6.3. Where a percentage rule applies, the value of trimmings and accessories must be taken into account when calculating the value of the non-originating materials incorporated.

Note 7

- 7.1. For the purposes of heading Nos ex 2707, 2713 to 2715, ex 2901, ex 2902 and ex 3403, the "specific processes" are the following:
- (a) vacuum distillation;
 - (b) redistillation by a very thorough fractionation process¹;
 - (c) cracking;

¹ See Additional Explanatory Note 4(b) to Chapter 27 of the combined nomenclature.

- (d) reforming;
- (e) extraction by means of selective solvents;
- (f) the process comprising all the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralization with alkaline agents; decolorization and purification with naturally active earth, activated earth, activated charcoal or bauxite;
- (g) polymerization;
- (h) alkylation;
- (i) isomerization.

7.2. For the purposes of heading Nos 2710, 2711 and 2712, the "specific processes" are the following:

- (a) vacuum distillation;
- (b) redistillation by a very thorough fractionation process;
- (c) cracking;
- (d) reforming;
- (e) extraction by means of selective solvents;
- (f) the process comprising all the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralization with alkaline agents; decolorization and purification with naturally active earth, activated earth, activated charcoal or bauxite;
- (g) polymerization;
- (h) alkylation;

- (ij) isomerization;
 - (k) (in respect of heavy oils falling within heading No ex 2710 only) desulphurization with hydrogen resulting in a reduction of at least 85% of the sulphur content of the products processed (ASTM D 1266-59 T method);
 - (l) (in respect of products falling within heading No 2710 only) deparaffining by a process other than filtering;
 - (m) (in respect of heavy oils falling within heading No ex 2710 only) treatment with hydrogen at a pressure of more than 20 bar and a temperature of more than 250 °C with the use of a catalyst, other than to effect desulphurization, when the hydrogen constitutes an active element in a chemical reaction. The further treatment with hydrogen of lubricating oils of heading No ex 2710 (e.g. hydrofinishing or decolorization) in order, more especially, to improve colour or stability shall not, however, be deemed to be a specific process;
 - (n) (in respect of fuel oils falling within heading No ex 2710 only) atmospheric distillation, on condition that less than 30% of these products distils, by volume, including losses, at 300 °C by the ASTM D 86 method;
 - (o) (in respect of heavy oils other than gas oils and fuel oils falling within heading No ex 2710 only) treatment by means of a high-frequency electrical brush-discharge.
- 7.3. For the purposes of heading Nos ex 2707, 2713 to 2715, ex 2901, ex 2902 and ex 3403, simple operations such as cleaning, decanting, desalting, water separation, filtering, colouring, marketing obtaining a sulphur content as a result of mixing products with different sulphur contents, any combination of these operations or like operations do not confer origin.

Annex II

List of working or processing required to be carried out on
non-originating materials in order that the product
manufactured can obtain originating status

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
0201	Meat of bovine animals, fresh or chilled	Manufacture from materials of any heading except meat of bovine animals, frozen of heading No 0202	
0202	Meat of bovine animals, frozen	Manufacture from materials of any heading except meat of bovine animals, fresh or chilled of heading No 0201	
0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen	Manufacture from materials of any heading except carcasses of headings Nos 0201 to 0205	
0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal	Manufacture from materials of any heading except meat and offal of heading Nos 0201 to 0206 and 0208 or poultry liver of heading No 0207	
0302 to 0305	Fish, other than live fish	Manufacture in which all the materials of Chapter 3 used must be wholly obtained	
0402, 0404 to 0406	Dairy products	Manufacture from materials of any heading except milk or cream of heading No 0401 or 0402	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit or cocoa	Manufacture in which: <ul style="list-style-type: none"> - all the materials of Chapter 4 used must be wholly obtained, - any fruit juice (except those of pineapple, lime or grapefruit) of heading No 2009 used must be wholly obtained, and - the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product 	
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked, by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter	Manufacture from materials of any heading except birds' eggs of heading No 0407	
ex 0502	Prepared pigs', hogs' or boars' bristles and hair	Cleaning, disinfecting, sorting and straightening of bristles and hair	
ex 0506	Bones and horn-cores unworked	Manufacture in which all the materials of Chapter 2 used must be wholly obtained	
ex 0710 to ex 0713	Edible vegetables, frozen or dried, provisionally preserved except for heading Nos ex 0710 and ex 0711 for which the rules are set out below	Manufacture in which all the vegetable materials used must be wholly obtained	
ex 0710	Sweet corn (uncooked or cooked by steaming or boiling in water), frozen	Manufacture from fresh or chilled sweet corn	
ex 0711	Sweet corn, provisionally preserved	Manufacture from fresh or chilled sweet corn	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter: – containing added sugar – other	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the value of the ex-works price of the product	Manufacture in which all the fruit or nuts used must be wholly obtained
0812	Fruit and nuts provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	Manufacture in which all the fruit or nuts used must be wholly obtained	
0813	Fruit, dried, other than that of heading Nos 0801 to 0806: mixtures of nuts or dried fruits of this chapter	Manufacture in which all the fruit or nuts used must be wholly obtained	
0814	Peel of citrus fruit or melons (including water-melons), fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions	Manufacture in which all the fruit or nuts used must be wholly obtained	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 11	Products of the milling industry; malt, starches; inulin; wheat gluten, except for heading No ex 1106 for which the rule is set out below	Manufacture in which all the cereals, edible vegetables, roots and tubers of heading No 0714 or fruit used must be wholly obtained	
ex 1106	Flour and meal of the dried, shelled leguminous vegetables of heading No 0713	Drying and milling of leguminous vegetables of heading No 0708	
1301	Lac; natural gums, resins, gum-resins and balsams	Manufacture in which the value of any materials of heading No 1301 used may not exceed 50% of the ex-works price of the product	
1501	Lard; other pig fat and poultry fat, rendered, whether or not pressed or solvent-extracted: – Fats from bones or waste – Other	Manufacture from materials of any heading except those of heading Nos 0203, 0206 or 0207 or bones of heading No 0506 Manufacture from meat or edible offal of swine of heading No 0203 or 0206 or of meat and edible offal of poultry of heading No 0207	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
1502	Fats of bovine animals; sheep or goats, raw or rendered, whether or not pressed or solvent-extracted: - Fats from bones or waste - Other	Manufacture from materials of any heading except those of heading Nos 0201, 0202, 0204 or 0206 or bones of heading No 0506 Manufacture in which all the animal materials of Chapter 2 used must be wholly obtained	
1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified: - Solid fractions of fish oils and fats and oils of marine mammals - Other	Manufacture from materials of any heading including other materials of heading No 1504 Manufacture in which all the animal materials of Chapters 2 and 3 used must be wholly obtained	
ex 1505	Refined lanolin	Manufacture from crude wool grease of heading No 1505	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
1506	<p>Other animal fats and oils and their fractions, whether or not refined, but not chemically modified:</p> <ul style="list-style-type: none"> - Solid fractions - Other 	<p>Manufacture from materials of any heading including other materials of heading No 1506</p> <p>Manufacture in which all the animal materials of Chapter 2 used must be wholly obtained</p>	
ex 1507 to 1515	<p>Fixed vegetable oils and their fractions, whether or not refined, but not chemically modified:</p> <ul style="list-style-type: none"> - Solid fractions, except for that of Jojoba oil - Other, except for: <ul style="list-style-type: none"> - Lung oil; myrtle wax and Japan wax - Those for technical or industrial uses other than the manufacture of foodstuffs for human consumption 	<p>Manufacture from other materials of heading Nos 1507 to 1515</p> <p>Manufacture in which all the vegetable materials used must be wholly obtained</p>	
ex 1516	<p>Animal or vegetable fats and oils and their fractions, re-esterified, whether or not refined but not further prepared</p>	<p>Manufacture in which all the animal and vegetable materials used must be wholly obtained</p>	
ex 1517	<p>Edible liquid mixtures of vegetable oils of heading Nos 1507 to 1515</p>	<p>Manufacture in which all the vegetable materials used must be wholly obtained</p>	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 1519	Industrial fatty alcohols having the character of artificial waxes	Manufacture from materials of any heading including fatty acids of heading No 1519	
1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	Manufacture from animals of Chapter 1	
1602	Other prepared or preserved meat, meat offal or blood	Manufacture from animals of Chapter 1	
1603	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates	Manufacture from animals of Chapter 1. However, all fish, crustaceans, molluscs or other aquatic invertebrates used must be wholly obtained	
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs	Manufacture in which all the fish or fish eggs used must be wholly obtained	
1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved	Manufacture in which all the crustaceans, molluscs or other aquatic invertebrates used must be wholly obtained	
ex 1701	Cane or beet sugar and chemically pure sucrose, in solid form, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
1702	<p>Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:</p> <ul style="list-style-type: none"> - Chemically pure maltose and fructose - Other sugars in solid form, flavoured or coloured - Other 	<p>Manufacture from materials of any heading including other materials of heading No 1702</p> <p>Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product</p> <p>Manufacture in which all the materials used must already be originating</p>	
ex 1703	Molasses resulting from the extraction of refining of sugar, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product	
1704	Sugar confectionery (including white chocolate), not containing cocoas	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any other materials of Chapter 17 used does not exceed 30% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
1806	Chocolate and other food preparations containing cocoa	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product	
1901	<p>Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50%, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10%, not elsewhere specified or included:</p> <ul style="list-style-type: none"> - Malt extract - Other 	<p>Manufacture from cereals of Chapter 10</p>	<p>Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product</p>

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared	Manufacture in which all the cereals (except durum wheat), meat, meat offal, fish, crustaceans or molluscs used must be wholly obtained	
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms	Manufacture from materials of any heading except potato starch of heading No 1108	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
1904	<p>Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared:</p> <ul style="list-style-type: none"> - Not containing cocoa - Containing cocoa 	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the cereals and flour (except maize of the species <i>Zea indurata</i> and durum wheat and their derivatives) used must be wholly obtained <p>and</p> <ul style="list-style-type: none"> - the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product 	<p>Manufacture from materials not classified in heading No 1806, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product</p>
1905	<p>Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products</p>	<p>Manufacture from materials of any heading, except those of Chapter 11</p>	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
2001	Vegetables, fruit nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid	Manufacture in which all the fruit, nuts or vegetables used must be wholly obtained	
2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid	Manufacture in which all the tomatoes used must be wholly obtained	
2003	Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid	Manufacture in which all the mushrooms or truffles used must be wholly obtained	
2004 and 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen or not frozen	Manufacture in which all the vegetables used must be wholly obtained	
2006	Fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product	
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter	Manufacture in which the value of any materials of Chapter 17 used must not exceed 30% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
2008	<p>Fruit, nuts and other edible parts of plants otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:</p> <ul style="list-style-type: none"> - Fruit and nuts cooked otherwise than by steaming or boiling in water, not containing added sugar, frozen - Nuts, not containing added sugar or spirits - Others 	<p>Manufacture in which all the fruit and nuts used must be wholly obtained</p> <p>Manufacture in which the value of the originating nuts and oil seeds of heading Nos 0801, 0802 and 1202 to 1207 used exceeds 60% of the ex-works price of the product</p> <p>Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product</p>	
ex 2009	Fruit juices (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product	
ex 2101	Roasted chicory and extracts, essences and concentrates thereof	Manufacture in which all the chicory used must be wholly obtained	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 2103	Sauces and preparations therefor; mixed condiments and mixed seasonings: – Prepared mustard	Manufacture in which all the materials used are classified in a heading other than that of the product. However, mustard flour or meal or prepared mustard may be used	
ex 2104	– Soups and broths and preparations therefor:	Manufacture from materials of any heading, except prepared or preserved vegetables of heading Nos 2002 to 2005	
ex 2104	– Homogenized composite food preparations	The rule for the heading in which the product would be classified in bulk shall apply	
ex 2106	Sugar syrups, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used must not exceed 30% of the ex-works price of the product	
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow	Manufacture in which all the water used must be wholly obtained	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product and any fruit juice used (except for pineapple, lime and grapefruit juices) must be wholly obtained	
ex 2204	Wine of fresh grapes, including fortified wines, and grape must with the addition of alcohol	Manufacture from other grape must	
2205 ex 2207 ex 2208 and ex 2209	The following, containing grape materials: Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances; ethyl alcohol and other spirits, denatured or not; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages; vinegar	Manufacture from materials of any heading, except grapes or any material derived from grapes	
ex 2208	Whiskies of an alcoholic strength by volume of less than 50% vol	Manufacture in which the value of any cereal based spirits used does not exceed 15% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 2303	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40% by weight	Manufacture in which all the maize used must be wholly obtained	
ex 2306	Oil cake and other solid residues resulting from the extraction of olive oil, containing more than 3% of olive oil	Manufacture in which all the olives used must be wholly obtained	
2309	Preparations of a kind used in animal feeding	Manufacture in which all the cereals, sugar or molasses, must or milk used must be wholly obtained	
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes	Manufacture in which at least 70% by weight of the unmanufactured tobacco or tobacco refuse of heading No 2401 used must be wholly obtained	
ex 2403	Smoking tobacco	Manufacture in which at least 70% by weight of the unmanufactured tobacco or tobacco refuse of heading No 2401 used must be wholly obtained	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 25	Salt; sulphur; earths and stone; plastering materials; lime and cement; except for heading Nos ex 2504, ex 2515, ex 2516, ex 2518, ex 2519, ex 2520, ex 2524, ex 2525 and ex 2530 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 2504	Natural crystalline graphite, with enriched carbon content, purified and ground	Enriching of the carbon content, purifying and grinding of crude crystalline graphite	
ex 2515	Marble, merely cut by sawing or otherwise into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of marble (even if already sawn) of a thickness exceeding 25 cm	
ex 2516	Granite, porphyry, basalt, sandstone and other monumental and building stone, merely cut by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of stone (even if already sawn) of a thickness exceeding 25 cm	
ex 2518	Calcined dolomite	Calcination of dolomite not calcined	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 2519	Crushed natural magnesium carbonate (magnesite), in hermetically sealed containers, and magnesium oxide, whether or not pure, other than fused magnesia or dead burned (sintered) magnesia	Manufacture in which all the materials used are classified within a heading other than that of the product. However, natural magnesium carbonate (magnesite) may be used	
ex 2520	Plasters specially prepared for dentistry	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 2524	Natural asbestos fibres	Manufacture from asbestos concentrate	
ex 2525	Mica powder	Grinding of mica or mica waste	
ex 2530	Earth colours, calcined or powdered	Calcination or grinding of earth colours	
Chap. 26	Ores, slag and ash	Manufacture in which all the materials used are classified within a heading other than that of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 27	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes; except for heading Nos ex 2707 and 2709 to 2715 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 2707	Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65% by volume distils at a temperature of up to 250°C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels	Operations of refining and/or one or more specific processes) ⁽¹⁾ Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product	
ex 2709	Crude oils obtained from bituminous minerals	Destructive distillation of bituminous materials	

⁽¹⁾ See Introductory Note 7 – Annex I.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
2710 to 2712	<p>Petroleum oils and oils obtained from bituminous materials, other than crude; preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oils obtained from bituminous materials, these oils being the basic constituents of the preparations</p> <p>Petroleum gases and other gaseous hydrocarbons</p> <p>Petroleum jelly; paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes and similar products obtained by synthesis or by other processes, whether or not coloured</p>	<p>Operations of refining and/or one or more specific process(es) ⁽¹⁾</p> <p>Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product</p>	
2713 to 2715	<p>Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous materials</p> <p>Bitumen and asphalt, natural; bituminous or oil shale and tar sands; asphaltites and asphaltic rocks</p> <p>Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch</p>	<p>Operations of refining and/or one or more specific process(es) ⁽¹⁾</p> <p>Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product</p>	

⁽¹⁾ See Introductory Note 7 – Annex I.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 28	Inorganic chemicals; organic or inorganic compounds or precious metals, of rare-earth metals, of radioactive elements or of isotopes; except for heading Nos ex 2805, ex 2811, ex 2833 and ex 2840 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product	
ex 2805	"Mischmetall"	Manufacture by electrolytic or thermal treatment in which the value of all the materials used does not exceed 20% of the ex-works price of the product	
ex 2811	Sulphur trioxide	Manufacture from sulphur dioxide	
ex 2833	Aluminium sulphate	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 2840	Sodium perborate	Manufacture from disodium tetraborate pentahydrate	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 29	Organic chemicals; except for heading Nos ex 2901, ex 2902, ex 2905, 2915, 2932, 2933 and 2934, for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product	
ex 2901	Acyclic hydrocarbons for use as power or heating fuels	Operations of refining and/or one or more specific process(es) ⁽¹⁾	Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product

⁽¹⁾ See Introductory Note 7 – Annex I.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 2902	Cyclanes and cyclenes (other than azulenes), benzene, toluene, xylenes, for use as power or heating fuels	Operations of refining and/or one or more specific processes) ⁽¹⁾	
ex 2905	Metal alcoholates of alcohols of this heading and of ethanol or glycerol	Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used, provided their value does not exceed 50% of the ex-works price of the product	
2915	Saturated acyclic monocarboxylic acids and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture from materials of any heading, including other materials of heading No 2905. However, metal alcoholates of this heading may be used, provided their value does not exceed 20% of the ex-works price of the product	
		Manufacture from materials of any heading. However, the value of all the materials of heading Nos 2915 and 2916 used may not exceed 20% of the ex-works price of the product	

⁽¹⁾ See Introductory Note 7 – Annex I.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
2932	<p>Heterocyclic compounds with oxygen hetero-atom(s) only:</p> <ul style="list-style-type: none"> - Internal ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives - Cyclic acetals and internal hemiacetals and their halogenated, sulphonated, nitrated or nitrosated derivatives - Other 	<p>Manufacture from materials of any heading. However, the value of all the materials of heading No 2909 used may not exceed 20% of the ex-works price of the product</p> <p>Manufacture from materials of any heading</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product</p>	
2933	<p>Heterocyclic compounds with nitrogen hetero-atom(s) only: nucleic acids and their salts</p>	<p>Manufacture from materials of any heading. However, the value of all the materials of heading Nos 2932 and 2933 used may not exceed 20% of the ex-works price of the product</p>	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
2934 ex Chap. 30	Other heterocyclic compounds Pharmaceutical products; except for heading Nos 3002, 3003 and 3004, for which the rules are set out below:	Manufacture from materials of any heading. However, the value of all the materials of heading Nos 2932, 2933 and 2934 used may not exceed 20% of the ex-works price of the product	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product
3002	Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions; vaccines, toxins, cultures of micro-organisms (excluding yeasts) and similar products: — Products consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses or unmixed products for these uses, put up in measured doses or in forms or packings for retail sale	Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
	<ul style="list-style-type: none"> - Other: - - human blood - - animal blood prepared for therapeutic or prophylactic uses - - blood fractions other than antisera, haemoglobin and serum globulin - - haemoglobin, blood globulin and serum globulin 	<p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex-works price of the product</p>	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
3003 and 3004	<p>— — other</p> <p>Medicaments (excluding goods of heading No 3002, 3005 and 3006)</p>	<p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex-works price of the product</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product. However, materials of heading No 3003 or 3004 may be used provided their value, taken together, does not exceed 20% of the ex-works price of the product, and - the value of all the materials used does not exceed 50% of the ex-works price of the product 	
ex Chap. 31	Fertilizers; except for heading No ex 3105 for which the rule is set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product	

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
ex 3105	Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorous and potassium; other fertilizers; goods of this Chapter, in tablets or similar forms or in packages of a gross weight not exceeding 10 kg, except for: <ul style="list-style-type: none"> - sodium nitrate - calcium cyanamide - potassium sulphate - magnesium potassium sulphate 	Manufacture in which: <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product, and - the value of all the materials used does not exceed 50% of the ex-works price of the product 	
ex Chap. 32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product	
ex 3201	Tannins and their salts, esters, ethers, and other derivatives	Manufacture from tanning extracts of vegetable origin	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
3205 ex Chap. 33	Colour lakes; preparations as specified in Note 3 to this Chapter based on colour lakes ⁽¹⁾ Essential oils and resinoids; perfumery, cosmetic or toilet preparations; except for heading No 3301, for which the rule is set out below:	Manufacture from materials of any heading, except heading Nos 3203, 3204 and 3205. However, materials from heading No 3205 may be used provided their value does not exceed 20% of the ex-works price of the product	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product
3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils	Manufacture from materials of any heading, including materials of a different "group" ⁽²⁾ in this heading. However, materials of the same group may be used, provided their value does not exceed 20% of the ex-works price of the product	

⁽¹⁾ Note 3 to Chapter 32 says that these preparations are those of a kind used for colouring any material or used as ingredients in the manufacturing of colouring preparations, provided they are not classified in another heading in Chapter 32.

⁽²⁾ A "group" is regarded as any part of the heading separated from the rest by a semi-colon.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, "dental waxes" and dental preparations with a basis of plaster; except for heading Nos ex 3403 and 3404, for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product	
ex 3403	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, provided they represent less than 70% by weight	Operations of refining and/or one or more specific process(es) ⁽¹⁾	Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product

⁽¹⁾ See Introductory Note 7 – Annex I.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
3404	<p>Artificial waxes and prepared waxes:</p> <ul style="list-style-type: none"> - Artificial waxes and prepared waxes with a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax - Other 	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product</p>	<p>Manufacture from materials of any heading, except:</p> <ul style="list-style-type: none"> - hydrogenated oils having the character of waxes of heading No 1516 - fatty acids not chemically defined or industrial fatty alcohols having the character of waxes of heading No 1519 - materials of heading No 3404 <p>However, these materials may be used provided their value does not exceed 20% of the ex-works price of the product</p>

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 35	Albuminoidal substances; modified starches; glues; enzymes; except for heading Nos 3505 and ex 3507 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product	
3505	Dextrins and other modified starches (for example, pregelatinized or esterified starches); glues based on starches, or on dextrins or other modified starches: - Starch ethers and esters - Other	Manufacture from materials of any heading, including other materials of heading No 3505	Manufacture from materials of any heading, except those of heading No 1108
ex 3507	Prepared enzymes not elsewhere specified or included	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
3701	<p>Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles; instant print film in the flat, sensitized, unexposed, whether or not in packs;</p> <p>– Instant print film for colour photography, in packs</p> <p>– Other</p>	<p>Manufacture in which all the materials used are classified within a heading other than heading Nos 3701 or 3702. However, materials from heading No 3702 may be used provided their value does not exceed 30% of the ex-works price of the product</p>	<p>Manufacture in which all the materials used are classified within a heading other than heading No 3701 or 3702. However, materials from heading Nos 3701 and 3702 may be used provided their value taken together, does not exceed 20% of the ex-works price of the product</p>

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
3702	Photographic film in rolls, sensitized, unexposed, of any material other than paper, paperboard or textiles; instant print film in rolls, sensitized, unexposed	Manufacture in which all the materials used are classified within a heading other than heading Nos 3701 or 3702	
3704	Photographic plates, film paper, paperboard and textiles, exposed but not developed	Manufacture in which all the materials used are classified within a heading other than heading Nos 3701 to 3704	
ex Chap. 38	Miscellaneous chemical products; except for heading Nos 3801, ex 3803, ex 3805, ex 3806, ex 3807, 3808 to 3814, 3818 to 3820, 3822 and 3823 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product	
3801	Artificial graphite; colloidal or semi-colloidal graphite; preparations based on graphite or other carbon in the form of pastes or other semi-manufactures: – Colloidal graphite in suspension in oil and semi-colloidal graphite; carbonaceous pastes for electrodes	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
	- Graphite in paste form, being a mixture of more than 30% by weight of graphite with mineral oils - Other	Manufacture in which the value of all the materials of heading No 3403 used does not exceed 20% of the ex-works price of the product Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product	
ex 3803	Refined tall oil	Refining of crude tall oil	
ex 3805	Spirits of sulphate turpentine, purified	Purification by distillation or refining of raw spirits of sulphate turpentine	
ex 3806	Ester gums	Manufacture from resin acids	
ex 3807	Wood pitch (wood tar pitch)	Distillation of wood tar	
3808	Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators, disinfectants and similar products, put up in forms of packings for retail sale or as preparations or articles (for example, sulphur- treated bands, wicks and candles, and fly-papers)	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the products	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
3809	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the products	
3810	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding electrodes or rods	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the products	
3811	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and other prepared additives, for mineral oils (including gasoline) or for other liquids used for the same purposes as mineral oils:		

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
3812	<ul style="list-style-type: none"> - Prepared additives for lubricating oil, containing petroleum oils or oils obtained from bituminous minerals - Other <p>Prepared rubber accelerators; compound plasticizers for rubber or plastics, not elsewhere specified or included; anti-oxidizing preparations and other compound stabilizers for rubber or plastics</p>	<p>Manufacture in which the value of all the materials of heading No 3811 used does not exceed 50% of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product</p>	
3813	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
3814	Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or varnish removers	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
3818	Chemical elements doped for use in electronics, in the form of discs, wafers or similar forms; chemical compounds doped for use in electronics	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
3819	Hydraulic brake fluids and other prepared liquids for hydraulic transmission, not containing or containing less than 70% by weight of petroleum oils or oils obtained from bituminous minerals	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
3820	Anti-freezing preparations and prepared de-icing fluids	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
3822	Composite diagnostic or laboratory reagents, other than those of heading No 3002 or 3006	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
3823	<p>Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:</p> <ul style="list-style-type: none"> - The following of this heading: <ul style="list-style-type: none"> -- Prepared binders for foundry moulds or cores based on natural resinous products -- Naphthenic acids, their water insoluble salts and their esters -- Sorbitol other than that of heading No 2905 -- Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines; thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts -- Ion exchangers 	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product</p>	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
	<ul style="list-style-type: none"> -- Getters for vacuum tubes -- Alkaline iron oxide for the purification of gas -- Ammoniacal gas liquors and spent oxide produced in coal gas purification -- Sulphonaphthenic acids, their water insoluble salts and their esters -- Fusel oil and Dippel's oil -- Mixtures of salts having different anions -- Copying pastes with a basis of gelatin, whether or not on a paper or textile backing - Other 		<p>Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product</p>

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 3901 to 3915	Plastics in primary forms, waste, parings and scrap, of plastic; except for heading No ex 3907 for which the rule is set out below: – Addition homopolymerization products – Other	Manufacture in which: – the value of all the materials used does not exceed 50% of the ex-works price of the product, and – the value of any materials of Chapter 39 used does not exceed 20% of the ex-works price of the product ⁽¹⁾	Manufacture in which the value of the materials of Chapter 39 used does not exceed 20% of the ex-works price of the product ⁽¹⁾

⁽¹⁾ In the case of the products composed of materials classified within both heading Nos 3901 to 3906, on the one hand, and within heading Nos 3907 to 3911; on the other hand, this restriction only applies to that group of materials which predominates by weight in the product.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 3907	Copolymer, made from polycarbonate and acrylonitrile-butadiene-styrene copolymer (ABS)	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product ⁽¹⁾	
ex 3916 to 3921	Semi-manufactures and articles of plastics; except for heading Nos ex 3916, ex 3917, ex 3920 and ex 3921, for which the rules are set out below: – Flat products, further worked than only surface-worked or cut into forms other than rectangular or square; other products, further worked than only surface-worked – Other:	Manufacture in which the value of any materials of Chapter 39 used does not exceed 50% of the ex-works price of the product	

⁽¹⁾ In the case of the products composed of materials classified within both heading Nos 3901 to 3906, on the one hand, and within heading Nos 3907 to 3911, on the other hand, this restriction only applies to that group of materials which predominates by weight in the product.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 3916 and ex 3917	-- Addition homopolymerization products	Manufacture in which: - the value of all the materials used does not exceed 50% of the ex-works price of the product, and - the value of any materials of Chapter 39 used does not exceed 20% of the ex-works price of the product ⁽¹⁾	
	-- Other	Manufacture in which the value of any materials of Chapter 39 used does not exceed 20% of the ex-works price of the product ⁽¹⁾	
	Profile shapes and tubes	Manufacture in which: - the value of all the materials used does not exceed 50% of the ex-works price of the product, and - the value of any materials classified within the same heading as the product does not exceed 20% of the ex-works price of the product	

⁽¹⁾ In the case of the products composed of materials classified within both heading Nos 3901 to 3906, on the one hand, and within heading Nos 3907 to 3911, on the other hand, this restriction only applies to that group of materials which predominates by weight in the product.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 3920	lonomer sheet or film	Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium	
ex 3921	Foil of plastic, metallized	Manufacture from highly transparent polyester foils with a thickness of less than 23 micron ⁽¹⁾	
3922 to 3926	Articles of plastics	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex Chap. 40	Rubber and articles thereof; except for heading Nos ex 4001, 4005, 4012 and ex 4017 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 4001	Laminated slabs or crepe rubber for shoes	Lamination of sheets of natural rubber	

⁽¹⁾ The following foils shall be considered as highly transparent: foils, the optical dimming of which – measured according to ASTM-D 1003-16 by Gardner Hazemeter (i.e. Hazefactor) – is less than 2%.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
4005	Compound rubber, unvulcanized, in primary forms or in plates, sheets or strip	Manufacture in which the value of all the materials used, except natural rubber, does not exceed 50% of the ex-works price of the product	
4012	Retreaded or used pneumatic tyres of rubber; solid or cushion tyres, interchangeable tyre treads and tyre flaps, of rubber: – Retreaded pneumatic, solid or cushion tyres, of rubber – Other	Retreading of used tyres Manufacture from materials of any heading, except those of heading Nos 4011 or 4012	
ex 4017	Articles of hard rubber	Manufacture from hard rubber	
ex Chap. 41	Raw hides and skins (other than furskins) and leather; except for heading Nos ex 4102, 4104 to 4107 and 4109 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 4102	Raw skins of sheep or lambs, without wool on	Removal of wool from sheep or lamb skins, with wool on	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
4104 to 4107	Leather, without hair or wool, other than leather of heading Nos 4108 or 4109	Retanning of pre-tanned leather or Manufacture in which all the materials used are classified within a heading other than that of the product	
4109	Patent leather and patent laminated leather; metallized leather	Manufacture from leather of heading Nos 4104 to 4107 provided its value does not exceed 50% of the ex-works price of the product	
Chap. 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex Chap. 43	Furskins and artificial fur; manufactures thereof; except for heading Nos ex 4302 and 4303 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 4302	Tanned or dressed furskins, assembled: - Plates, crosses and similar forms - Other	Bleaching or dyeing, in addition to cutting and assembly of non-assembled tanned or dressed furskins Manufacture from non-assembled, tanned or dressed furskins	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
4303	Articles of apparel, clothing accessories and other articles of furskin	Manufacture from non-assembled tanned or dressed furskins of heading No 4302	
ex Chap. 44	Wood and articles of wood; wood charcoal; except for heading Nos ex 4403, ex 4407, ex 4408, 4409, ex 4410 to ex 4413, ex 4415, ex 4416, 4418 and ex 4421 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 4403	Wood roughly squared	Manufacture from wood in the rough, whether or not stripped of its bark or merely roughed down	
ex 4407	Wood sawn or chipped lengthwise, sliced or peeled, of a thickness exceeding 6 mm, planed, sanded or finger-jointed	Planing, sanding or finger-jointing	
ex 4408	Veneer sheets and sheets for plywood, of a thickness not exceeding 6 mm, spliced, and other wood sawn lengthwise, sliced or peeled of a thickness not exceeding 6 mm, planed, sanded or finger-jointed	Splicing, planing, sanding or finger-jointing	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
4409	Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-joined, beaded, moulded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger-jointed: – Sanded or finger-jointed – Beadings and mouldings – Other	Sanding or finger-jointing Beading or moulding Manufacture in which all the materials used are classified within a heading other than of the product	
ex 4410 to ex 4413	Beadings and mouldings, including moulded skirting and other moulded boards	Beading or moulding	
ex 4415	Packing cases, boxes, crates, drums and similar packings, of wood	Manufacture from boards not cut to size	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 4416	Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood	Manufacture from riven staves, not further worked than sawn on the two principal surfaces	
4418	<p>Builders' joinery and carpentry of wood, including cellular wood panels, assembled parquet panels, shingles and shakes:</p> <ul style="list-style-type: none"> - Builders' joinery and carpentry of wood - Beadings and mouldings 	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, cellular wood panels, shingles and shakes may be used</p>	<p>Beading or moulding</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product</p>

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 4421	Match splints; wooden pegs or pins for footwear	Manufacture from wood of any heading except drawn wood of heading No 4409	
ex Chap. 45	Cork and articles of cork; except for heading No 4503 for which the rule is set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
4503	Articles of natural cork	Manufacture from cork of heading No 4501	
Chap. 46	Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork	Manufacture in which all the materials used are classified within a heading other than that of the product	
Chap. 47	Pulp of wood or of other fibrous cellulosic material; waste and scrap of paper or paperboard	Manufacture in which all the materials used are classified within a heading other than that of the product	
Chap. 48	Paper and paperboard; articles of paper pulp, of paper or of paperboard; except for heading Nos ex 4811, 4816, 4817, ex 4818, ex 4819, ex 4820 and ex 4823 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 4811	Paper and paperboard, ruled, lined or squared only	Manufacture from paper-making materials of Chapter 47	

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
4816	Carbon paper, self-copy paper and other copying or transfer papers (other than those of heading No 4809), duplicator stencils and offset plates, of paper, whether or not put up in boxes	Manufacture from paper-making materials of Chapter 47	
4817	Envelopes, letter cards, plain postcards and correspondence cards, of paper or paperboard; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing an assortment of paper stationery	Manufacturing in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 4818	Toilet paper	Manufacture from paper-making materials of Chapter 47	
ex 4819	Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibres	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 4820	Letter pads	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
ex 4823	Other paper, paperboard, cellulose wadding and webs of cellulose fibres, cut to size or shape	Manufacture from paper-making materials of Chapter 47	
ex Chap. 49	Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans; except for heading Nos 4909 and 4910 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product	
4909	Printed or illustrated postcards; printed cards bearing personal greetings, messages or announcements, whether or not illustrated, with or without envelopes or trimmings	Manufacture from materials not classified within heading Nos 4909 or 4911	
4910	Calendars of any kind, printed, including calendar blocks: - Calendars of the "perpetual" type or with replaceable blocks mounted on bases other than paper or paperboard - Other	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 50% of the ex-works price of the product Manufacture from materials not classified in heading Nos. 4909 or 4911	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
ex Chap. 50	Silk; except for heading Nos ex 5003, 5004 to ex 5006 and 5007 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and gernetted stock), carded or combed	Carding or combing of silk waste	
5004 to ex 5006	Silk yarn and yarn spun from silk waste	Manufacture from ⁽¹⁾ : <ul style="list-style-type: none"> - raw silk or silk waste carded or combed or otherwise prepared for spinning, - other natural fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper-making materials 	
5007	Woven fabrics of silk or of silk waste: <ul style="list-style-type: none"> - incorporating rubber thread 	Manufacture from single yarn ⁽¹⁾	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
	- Other	Manufacture from ⁽¹⁾ : - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5% of the ex-works price of the product	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 51 5106 to 5110	Wool, fine or coarse animal hair; horsehair yarn and woven fabric; except for heading Nos 5106 to 5110 and 5111 to 5113 for which the rules are set out below: Yarn of wool, of fine or coarse animal hair or of horsehair	Manufacture in which all the materials used are classified within a heading other than that of the product Manufacture from ⁽¹⁾ : - raw silk or silk waste carded or combed or otherwise prepared for spinning, - natural fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper-making materials	
5111 to 5113	Woven fabrics of wool, of fine or coarse animal hair or of horsehair: - Incorporating rubber thread - Other	Manufacture from single yarn ⁽¹⁾ : Manufacture from ⁽¹⁾ : - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing,	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
ex Chap. 52	Cotton; except for heading Nos 5204 to 5207 and 5208 to 5212 for which the rules are set out below:	decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5% of the ex-works price of the product	
5204 to 5207	Yarn and thread of cotton	Manufacture from ⁽¹⁾ : - raw silk or silk waste carded or combed or otherwise prepared for spinning, - natural fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper-making materials	
5208 to 5212	Woven fabrics of cotton: - incorporating rubber thread - Other	Manufacture from single yarn ⁽¹⁾ Manufacture from ⁽¹⁾ : - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
ex Chap. 53	Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn; except for heading Nos 5306 to 5308 and 5309 to 5311 for which the rules are set out below:	<p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5% of the ex-works price of the product</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product</p>	
5306 to 5308	Yarn of other vegetable textile fibres; paper yarn	<p>Manufacture from ⁽¹⁾:</p> <ul style="list-style-type: none"> - raw silk or silk waste carded or combed or otherwise prepared for spinning, - natural fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper-making materials 	
5309 to 5311	<p>Woven fabrics of other vegetable textile fibres; woven fabrics of paper yarn:</p> <ul style="list-style-type: none"> - incorporating rubber thread 	<p>Manufacture from single yarn ⁽¹⁾</p>	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
	- Other	Manufacture from ⁽¹⁾ : - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5% of the ex-works price of the product	
5401 to 5406	Yarn, monofilament and thread of man-made filaments	Manufacture from ⁽¹⁾ : - raw silk or silk waste carded or combed or otherwise prepared for spinning, - natural fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper-making materials	
5407 to 5408	Woven fabrics of man-made filament yarn: - incorporating rubber thread	Manufacture from single yarn ⁽¹⁾	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
	- Other	Manufacture from ⁽¹⁾ : - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5% of the ex-works price of the product	
5501 to 5507	Man-made staple fibres	Manufacture from chemical materials or textile pulp	
5508 to 5511	Yarn and sewing thread	Manufacture from ⁽¹⁾ : - raw silk or silk waste carded or combed or otherwise prepared for spinning, - natural fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper-making materials	
5512 to 5516	Woven fabrics of man-made staple fibres: - incorporating rubber thread	Manufacture from single yarn ⁽¹⁾	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 56	<p>- Other</p> <p>Wadding, felt and non-wovens; special yarns; twine, cordage, ropes and cables and articles thereof; except for heading Nos 5602, 5604, 5605 and 5606, for which the rules are set out below:</p>	<p>Manufacture from ⁽¹⁾:</p> <ul style="list-style-type: none"> - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5% of the ex-works price of the product</p>	<p>Manufacture from ⁽¹⁾:</p> <ul style="list-style-type: none"> - coir yarn, - natural fibres, - chemical materials or textile pulp, or - paper making materials

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
	- Other	Manufacture from ⁽¹⁾ : - natural fibres not carded or combed or otherwise processed for spinning, - chemical materials or textile pulp, or - paper-making materials	
5605	Metallized yarn, whether or not gimped, being textile yarn, or strip or the like of heading No 5404 or 5405, combined with metal in the form of thread, strip or powder or covered with metal	Manufacture from ⁽¹⁾ : - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, - chemical materials or textile pulp, or - paper-making materials	
5606	Gimped yarn, and strip and the like of heading No 5404 or 5405, gimped, other than those of heading No 5605 and gimped horsehair yarn; chenille yarn; loop wale-yarn	Manufacture from ⁽¹⁾ : - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, - chemical materials or textile pulp, or - paper-making materials	
Chap. 57	Carpets and other textile floor coverings: - Of needleloom felt	Manufacture from ⁽¹⁾ : - natural fibres, or - chemical materials or textile pulp However: - polypropylene filament of heading No 5402, - polypropylene fibres of heading No 5503 or 5506 or - polypropylene filament tow of heading No 5501,	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 58	<p>Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery; except for heading Nos 5805 and 5810 for which the rules are set out below:</p> <ul style="list-style-type: none"> - Of other felt - Other textile coverings - Combined with rubber thread - Other 	<p>of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided their value does not exceed 40% of the ex-works price of the product</p> <p>Manufacture from ⁽¹⁾:</p> <ul style="list-style-type: none"> - natural fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp <p>Manufacture from ⁽¹⁾:</p> <ul style="list-style-type: none"> - coir yarn, - synthetic or artificial filament yarn, - natural fibres, or - man-made staple fibres not carded or combed or otherwise processed for spinning <p>Manufacture from single yarn ⁽¹⁾</p> <p>Manufacture from ⁽¹⁾:</p> <ul style="list-style-type: none"> - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp, <p>or</p>	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
5805	Hand-woven tapestries of the types gobelins, flanders, aubusson, beauvais and the like, and needle-worked tapestries (for example, petit point, cross stitch), whether or not made up	Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5% of the ex-works price of the product	
5810	Embroidery in the piece, in strips or in motifs	Manufacture in which all the materials used are classified within a heading other than that of the product	
5810	Embroidery in the piece, in strips or in motifs	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 50% of the ex-works price of the product	
5901	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations	Manufacture from yarn	
5902	Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon:		

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
	<ul style="list-style-type: none"> - containing not more than 90 % by weight of textile materials - Other 	Manufacture from yarn	
5903	Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading No 5902	Manufacture from chemical materials or textile pulp	
5904	Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape	Manufacture from yarn ⁽¹⁾	
5905	Textile wall coverings: <ul style="list-style-type: none"> - Impregnated, coated, covered or laminated with rubber, plastics or other materials - Other 	Manufacture from yarn: Manufacture from ⁽¹⁾ : <ul style="list-style-type: none"> - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp, or	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
5906	Rubberized textile fabrics, other than those of heading No 5902: – Knitted or crocheted fabrics – Other fabrics made of synthetic filament yarn, containing more than 90% by weight of textile materials – Other	Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5% of the ex-works price of the product Manufacture from ⁽¹⁾ : – natural fibres, – man-made staple fibres not carded or combed or otherwise processed for spinning, or – chemical materials or textile pulp Manufacture from chemical materials	
5907	Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio backcloths or the like	Manufacture from yarn	Manufacture from yarn

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
5908	Textile wicks, woven, plaited or knitted, for lamps, stoves, lighters, candles or the like; incandescent gas mantles and tubular knitted gas mantle fabric therefor, whether or not impregnated: - Incandescent gas mantles, impregnated - Other	Manufacture from tubular knitted gas mantle fabric Manufacture in which all the materials used are classified within a heading other than that of the product	
5909 to 5911	Textile articles of a kind suitable for industrial use: - Polishing discs or rings other than of felt of heading No 5911 - Other	Manufacture from yarn or waste fabrics or rags of heading No 6310 Manufacture from ⁽¹⁾ : - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp	
Chap. 60	Knitted or crocheted fabrics	Manufacture from ⁽¹⁾ : - natural fibres; - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
Chap. 61	<p>Articles of apparel and clothing accessories, knitted or crocheted:</p> <ul style="list-style-type: none"> - Obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form - Other 	<p>Manufacture from yarn ⁽¹⁾</p>	
ex Chap. 62	<p>Articles of apparel and clothing accessories, not knitted or crocheted; except for heading Nos ex 6202, ex 6204, ex 6206, ex 6209, ex 6210, 6213, 6214, ex 6216 and 6217 for which the rules are set out below:</p>	<p>Manufacture from yarn ⁽¹⁾ ⁽²⁾</p>	
ex 6202, ex 6204, ex 6206, and ex 6209	<p>Women's, girls' and babies' clothing and clothing accessories for babies, embroidered</p>	<p>Manufacture from yarn ⁽²⁾ or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex-works price of the product ⁽²⁾</p>	
ex 6210 and ex 6216	<p>Fire-resistant equipment of fabric covered with foil of aluminized polyester</p>	<p>Manufacture from yarn ⁽²⁾ or Manufacture from uncoated fabric provided the value of the uncoated fabric used does not exceed 40% of the ex-works price of the product ⁽²⁾</p>	

⁽¹⁾ See Introductory Note 6.

⁽²⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
6213 and 6214	Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like: - Embroidered	Manufacture from unbleached single yarn ⁽¹⁾ ⁽²⁾ or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex-works price of the product ⁽¹⁾	
6217	Other made up clothing accessories; parts of garments or of clothing accessories, other than those of heading No 6212: - Embroidered - Fire resistant equipment of fabric covered with foil of aluminized polyester	Manufacture from unbleached single yarn ⁽¹⁾ ⁽²⁾ Manufacture from yarn ⁽¹⁾ or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex-works price of the product ⁽¹⁾ Manufacture from yarn ⁽¹⁾ or Manufacture from uncoated fabric provided the value of the uncoated fabric used does not exceed 40% of the ex-works price of the product ⁽¹⁾	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

⁽²⁾ See Introductory Note 6.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 63 6301 to 6304	<ul style="list-style-type: none"> - Interlinings for collars and cuffs, cut out - Other Other made-up textile articles; sets; worn clothing and worn textile articles; rags; except for heading Nos 6301 to 6304, 6305, 6306, ex 6307 and 6308 for which the rules are set out below: Blankets, travelling rugs, bed linen etc.; curtains etc.; other furnishing articles: <ul style="list-style-type: none"> - Of felt, of non-wovens - Other -- Embroidered -- Other 	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture from yarn ⁽¹⁾</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product</p> <p>Manufacture from: ⁽²⁾</p> <ul style="list-style-type: none"> - natural fibres, or - chemical materials or textile pulp <p>Manufacture from unbleached single yarn ⁽¹⁾ ⁽²⁾</p> <p>or</p> <p>Manufacture from unembroidered fabric (other than knitted or crocheted) provided the value of the unembroidered fabric used does not exceed 40% of the ex-works price of the product</p> <p>Manufacture from unbleached single yarn ⁽¹⁾ ⁽²⁾</p>	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

⁽²⁾ See Introductory Note 6.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
6305	Sacks and bags, of a kind used for the packing of goods	Manufacture from ⁽¹⁾ : – natural fibres, – man-made staple fibres not carded or combed or otherwise processed for spinning, or – chemical materials or textile pulp	
6306	Tarpaulins, awnings and sunblinds; tents; sails for boats, sailboards or landcraft; camping goods: – Of non-wovens – Other	Manufacture from ⁽¹⁾ : – natural fibres, or – chemical materials or textile pulp Manufacture from unbleached single yarn ⁽¹⁾	
6307	Other made-up articles, including dress patterns	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
6308	Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes or similar textile articles, put up in packings for retail sale	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated provided their total value does not exceed 15% of the ex-works price of the set	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
6401 to 6405	Footwear	Manufacture from materials of any heading except for assemblies of uppers affixed to inner soles or to other sole components of heading No 6406	
6406	Parts of footwear; removable in-soles, heel cushions and similar articles; gaiters, leggings and similar articles, and parts thereof	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex Chap. 65	Headgear and parts thereof, except for heading Nos 6503 and 6505 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
6503	Felt hats and other felt headgear, made from the hat bodies, hoods or plateaux of heading No 6501, whether or not lined or trimmed	Manufacture from yarn or textile fibres ⁽¹⁾	
6505	Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hair-nets of any material, whether or not lined or trimmed	Manufacture from yarn or textile fibres ⁽¹⁾	
ex Chap. 66	Umbrellas, sun umbrellas, walking-sticks, seat-sticks, whips, riding-crops and parts thereof; except for heading No 6601 for which the rule is set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
6601	Umbrellas and sun umbrellas (including walking-stick umbrellas, garden umbrellas and similar umbrellas)	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
Chap. 67	Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex Chap. 68	Articles of stone, plaster, cement, asbestos, mica or similar materials; except for heading Nos ex 6803, ex 6812 and ex 6814 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 6803	Articles of slate or of agglomerated slate	Manufacture from worked slate	
ex 6812	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture from materials of any heading	
ex 6814	Articles of mica, including agglomerated or reconstituted mica, on a support of paper, paperboard or other materials	Manufacture from worked mica (including agglomerated or reconstituted mica)	
Chap. 69	Ceramic products	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex Chap. 70	Glass and glassware; except for heading Nos 7006, 7007, 7008, 7009, 7010, 7013 and ex 7019 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
7006	Glass of heading Nos 7003, 7004 or 7005, bent, edgeworked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials	Manufacture from materials of heading No 7001	
7007	Safety glass, consisting of toughened (tempered) or laminated glass	Manufacture from materials of heading No 7001	
7008	Multiple-walled insulating units of glass	Manufacture from materials of heading No 7001	
7009	Glass mirrors, whether or not framed, including rear-view mirrors	Manufacture from materials of heading No 7001	
7010	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass	Manufacture in which all the materials used are classified within a heading other than that of the product or Cutting of glassware, provided the value of the uncut glassware does not exceed 50% of the ex-works price of the product	
7013	Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading No 7010 or 7018)	Manufacture in which all the materials used are classified within a heading other than that of the product or Cutting of glassware, provided the value of the uncut glassware does not exceed 50% of the ex-works price of the product or Hand-decoration (with the exception of silk-screen printing) of hand-blown glassware, provided the value of the hand-blown glassware does not exceed 50% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
ex 7019	Articles (other than yarn) of glass fibres	Manufacture from: – uncoloured slivers, rovings, yarn or chopped strands, or – glass wool	
ex Chap. 71	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin; except for heading Nos ex 7102, ex 7103, ex 7104, 7106, ex 7107, 7108, ex 7109, 7110, ex 7111, 7116 and 7117 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 7102 ex 7103 and ex 7104	Worked precious or semi-precious stones (natural, synthetic or reconstructed)	Manufacture from unworked precious or semi-precious stones	
7106, 7108 and 7110	Precious metals:	– Unwrought	
		Manufacture from materials not classified within heading No 7106, 7108 or 7110 or Electrolytic, thermal or chemical separation of precious metals of heading No 7106, 7108 or 7110 or Alloying of precious metals of heading No 7106, 7108 or 7110 with each other or with base metals	
		– Semi-manufactured or in powder form	
		Manufacture from unwrought precious metals	
ex 7107, ex 7109 and ex 7111	Metals clad with precious metals, semi manufactured	Manufacture from metals clad with precious metals, unwrought	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
7116	Articles of natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed)	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
7117	Imitation jewellery	Manufacture in which all the materials used are classified within a heading other than that of the product or Manufacture from base metal parts, not plated or covered with precious metals, provided the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex Chap. 72	Iron and steel; except for heading Nos 7207, 7208 to 7216, 7217, ex 7218, 7219 to 7222, 7223, ex 7224, 7225 to 7227, 7228 and 7229 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
7207	Semi-finished products of iron or non-alloy steel	Manufacture from materials of heading No 7201, 7202, 7203, 7204 or 7205	
7208 to 7216	Flat rolled products, bars and rods, angles, shapes and sections of iron or non-alloy steel	Manufacture from ingots or other primary forms of heading No 7206	
7217	Wire of iron or non-alloy steel	Manufacture from semi-finished materials of heading No 7207	
ex 7218, 7219 to 7222	Semi-finished products, flat rolled products, bars and rods, angles, shapes and sections of stainless steel	Manufacture from ingots or other primary forms of heading No 7218	
7223	Wire of stainless steel	Manufacture from semi-finished materials of heading No 7218	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 7224, 7225 to 7227	Semi-finished products, flat rolled products, in irregularly wound coils, of other alloy steel	Manufacture from ingots or other primary forms of heading No 7224	
7228	Bars and rods of other alloy steel; angles, shapes and sections, of other alloy steel; hollow drill bars and rods, of alloy or non-alloy steel	Manufacture from ingots or other primary forms of heading No 7206, 7218 or 7224	
7229	Wire of other alloy steel	Manufacture from semi-finished materials of heading No 7224	
ex Chap. 73	Articles of iron or steel; except for heading Nos ex 7301, 7302, 7304, 7305, 7306, ex 7307, 7308 and ex 7315 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 7301	Sheet piling	Manufacture from materials of heading No 7206	
7302	Railway or tramway track construction materials of iron or steel, the following: rails, checkrails and rackrails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fishplates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for jointing or fixing rails	Manufacture from materials of heading No 7206	
7304, 7305 and 7306	Tubes, pipes and hollow profiles, of iron (other than cast iron) or steel	Manufacture from materials of heading No 7206, 7207, 7218 or 7224	
ex 7307	Tube or pipe fittings of stainless steel (ISO No X5CrNiMo 1712), consisting of several parts	Turning, drilling, reaming, threading, deburring and sandblasting of forged blanks the value of which does not exceed 35% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
7308	Structures (excluding prefabricated buildings of heading No 9406) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel	Manufacture in which all the materials used are classified within a heading other than that of the product. However, welded angles, shapes and sections of heading No 7301 may not be used	
ex 7315	Skid chains	Manufacture in which the value of all the materials of heading No 7315 used does not exceed 50% of the ex-works price of the product	
ex Chap. 74	Copper and articles thereof; except for heading Nos 7401, 7402, 7403, 7404 and 7405 for which the rules are set out below:	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 50% of the ex-works price of the product	
7401	Copper mattes; cement copper (precipitated copper)	Manufacture in which all the materials used are classified within a heading other than that of the product	
7402	Unrefined copper; copper anodes for electrolytic refining	Manufacture in which all the materials used are classified within a heading other than that of the product	

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
7403	Refined copper and copper alloys, unwrought: – Refined copper – Copper alloys and refined copper containing other elements	Manufacture in which all the materials used are classified within a heading other than that of the product Manufacture from refined copper, unwrought, or waste and scrap	
7404	Copper waste and scrap	Manufacture in which all the materials used are classified within a heading other than that of the product	
7405	Master alloys of copper	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex Chap. 75	Nickel and articles thereof; except for heading Nos 7501 to 7503 for which the rules are set out below:	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 50% of the ex-works price of the product	
7501 to 7503	Nickel mattes, nickel oxide sinters and other intermediate products of nickel metallurgy; unwrought nickel; nickel waste and scrap	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex Chap. 76	Aluminium and articles thereof; except for heading Nos 7601, 7602 and ex 7616 for which the rules are set out below:	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 50% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
7601	Unwrought aluminium	Manufacture by thermal or electrolytic treatment from unalloyed aluminium or waste and scrap of aluminium	
7602	Aluminium waste or scrap	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 7616	Aluminium articles other than gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, and expanded metal of aluminium	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product. <p>However, gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, or expanded metal of aluminium may be used, and</p> <ul style="list-style-type: none"> - the value of all the materials used does not exceed 50% of the ex-works price of the product 	
ex Chap. 78	Lead and articles thereof; except for heading Nos 7801 and 7802 the rules for which are set out below:	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 50% of the ex-works price of the product 	
7801	Unwrought lead: - Refined lead	Manufacture from "bullion" or "work" lead	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
7802	- Other Lead waste and scrap	Manufacture in which all the materials used are classified within a heading other than that of the product. However, waste and scrap of heading No 7802 may not be used	
ex Chap. 79	Zinc and articles thereof; except for heading Nos 7901 and 7902 the rules for which are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
7901	Unwrought zinc	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 50% of the ex-works price of the product	
7902	Zinc waste and scrap	Manufacture in which all the materials used are classified within a heading other than that of the product. However, waste and scrap of heading No 7902 may not be used	
ex Chap. 80	Tin and articles thereof; except for heading Nos 8001, 8002 and 8007 the rules for which are set below:	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 50% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
8001 8002 and 8007 Chap. 81 ex Chap. 82	Unwrought tin Tin waste and scrap; other articles of tin Other base metals; cermets; articles thereof: – Other base metals, wrought; articles thereof – Other Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal; except for heading Nos 8206, 8207, 8208, ex 8211, 8214 and 8215 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, waste and scrap of heading No 8002 may not be used Manufacture in which all the materials used are classified within a heading other than that of the product Manufacture in which the value of all the materials classified within the same heading as the product used does not exceed 50% of the ex-works price of the product Manufacture in which all the materials used are classified within a heading other than that of the product Manufacture in which all the materials used are classified within a heading other than that of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
8206	Tools of two or more of the heading Nos 8202 to 8205, put up in sets for retail sale	Manufacture in which all the materials used are classified within a heading other than heading Nos 8202 to 8205. However, tools of heading Nos 8202 to 8205 may be incorporated into the set provided their value does not exceed 15% of the ex-works price of the set	
8207	Interchangeable tools for hand tools, whether or not power-operated, or for machine-tools (for example, for pressing, stamping, punching, tapping, threading, drilling, boring, broaching, milling, turning, or screwdriving), including dies for drawing or extruding metal, and rock drilling or earth boring tools	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 40% of the ex-works price of the product	
8208	Knives and cutting blades, for machines or for mechanical appliances	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 40% of the ex-works price of the product	
ex 8211	Knives with cutting blades, serrated or not (including pruning knives), other than knives of heading No 8208	Manufacture in which all the materials used are classified within a heading other than that of the product. However, knife blades and handles of base metal may be used	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
8214	Other articles of cutlery (for example, hair clippers, butchers' or kitchen cleavers, choppers and mincing knives, paper knives); manicure or pedicure sets and instruments (including nail files)	Manufacture in which all the materials used are classified within a heading other than that of the product. However, handles of base metal may be used	
8215	Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or tableware	Manufacture in which all the materials used are classified within a heading other than that of the product. However, handles of base metal may be used	
ex Chap. 83	Miscellaneous articles of base metal; except for heading No ex 8306 for which the rule is set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 8306	Statuettes and other ornaments, of base metal	Manufacture in which all the materials used are classified within a heading other than that of the product. However, the other materials of heading No 8306 may be used provided their value does not exceed 30% of the ex-works price of the product	

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
ex Chap. 84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof; except for heading Nos ex 8401, 8402, 8403, ex 8404, 8406 to 8409, 8411, 8412, ex 8413, ex 8414, 8415, 8418, ex 8419, 8420, 8423, 8425 to 8430, ex 8431, 8439, 8441, 8444 to 8447, ex 8448, 8452, 8456 to 8466, 8469 to 8472, 8480, 8482, 8484 and 8485 for which the rules are set out below:	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
ex 8401	Nuclear fuel elements ⁽¹⁾	Manufacture in which all the materials used are classified within a heading other than that of the product ⁽¹⁾	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
8402	Steam or other vapour generating boilers (other than central heating hot water boilers capable also of producing low pressure steam); super heated water boilers	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
8403 and ex 8404	Central heating boilers other than those of heading No 8402 and auxiliary plant for central heating boilers	Manufacture in which all the materials used are classified within a heading other than heading No 8403 or 8404	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8406	Steam turbines and other vapour turbines	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	

⁽¹⁾ This rule shall apply until 31 December 1998.

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
8407	Spark-ignition reciprocating or rotary internal combustion piston engines	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8408	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines)	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8409	Parts suitable for use solely or principally with the engines of heading No 8407 or 8408	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8411	Turbo-jets, turbo propellers and other gas turbines	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
8412	Other engines and motors	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
ex 8413	Rotary positive displacement pumps	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 8414	Industrial fans, blowers and the like	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
8415	Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning machines of heading No 8415	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 40% of the ex-works price of the product, and – where the value of all the non-originating materials used does not exceed the value of the originating materials used	Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
ex 8419	Machines for the wood, paper pulp and paperboard industries	Manufacture: – in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and – where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
8420	Calendering or other rolling machines, other than for metals or glass, and cylinders therefor	Manufacture: – in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and – where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
8423	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight operated counting or checking machines; weighing machine weights of all kinds	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
8425 to 8428	Lifting, handling, loading or unloading machinery	Manufacture: – in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and – where, within the above limit, the materials classified within heading No 8431 are only used up to a value of 10% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
8429	Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and road rollers: – Road rollers	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
	- Other	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where, within the above limit, the materials classified within heading No 8431 are only used up to a value of 10% of the ex-works price of the product 	<p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8430	Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; pile-drivers and pile-extractors; snow-ploughs and snow-blowers	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where, within the above limit, the value of the materials classified within heading No 8431 are only used up to a value of 10% of the ex-works price of the product 	<p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
ex 8431	Parts for road rollers	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>	
8439	Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paperboard	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex-works price of the product 	<p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
8441	Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds	Manufacture: - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
8444 to 8447	Machines of these headings for use in the textile industry	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
ex 8448	Auxiliary machinery for use with machines of heading Nos 8444 and 8445	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8452	Sewing machines, other than book-sewing machines of heading No 8440; furniture, bases and covers specially designed for sewing machines; sewing machine needles: - Sewing machines (lock stitch only) with heads of a weight not exceeding 16 kg without motor or 17 kg with motor	Manufacture: - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, - where the value of all the non-originating materials used in assembling the head (without motor) does not exceed the value of the originating materials used, and - the thread tension, crochet and zigzag mechanisms used are already originating	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
	- Other	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8456 to 8466	Machine-tools and machines and their parts and accessories of headings Nos 8456 to 8466	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8469 to 8472	Office machines (for example, typewriters, calculating machines, automatic data processing machines, duplicating machines, stapling machines)	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8480	Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
8482	Ball or roller bearings	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
8484	Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal; sets or assortments of gaskets and similar joints, dissimilar in composition, put up in pouches, envelopes or similar packings	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
8485 ex Chap. 85	Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features, not specified or included elsewhere in this Chapter Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles; except for heading Nos 8501, 8502, ex 8518, 8519 to 8529, 8535 to 8537, ex 8541, 8542, 8544 to 8548 for which the rules are set out below:	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
8501	Electric motors and generators (excluding generating sets)	Manufacture: - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where, within the above limit, the materials classified within heading No 8503 are only used up to a value of 10% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
8502	Electric generating sets and rotary converters	Manufacture: – in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and – where, within the above limit, the materials classified within heading No 8501 or 8503, taken together, are only used up to a value of 10% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
ex 8518	Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures; audio-frequency electric amplifiers; electric sound amplifier sets	Manufacture: – in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and – where the value of all the non-originating materials used does not exceed the value of the originating materials used	Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
8519	Turntables (record-decks), record-players, cassette-players and other sound reproducing apparatus, not incorporating a sound recording device: – Electric gramophones	Manufacture: – in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and – where the value of all the non-originating materials used does not exceed the value of the originating materials used	Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
8520	<p>– Other</p> <p>Magnetic tape recorders and other sound recording apparatus, whether or not incorporating a sound reproducing device</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> – in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and – where the value of all the non-originating materials used does not exceed the value of the originating materials used 	<p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8521	<p>Video recording or reproducing apparatus, whether or not incorporating a video tuner</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> – in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and – where the value of all the non-originating materials used does not exceed the value of the originating materials used 	<p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8522	<p>Parts and accessories of apparatus of heading Nos. 8519 to 8521</p>	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>	
8523	<p>Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37</p>	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>	

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
8524	<p>Records, tapes and other recorded media for sound or other similarly recorded phenomena, including matrices and masters for the production of records, but excluding products of Chapter 37:</p> <ul style="list-style-type: none"> - Matrices and masters for the production of records - Other 	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where, within the above limit, the materials classified within heading No 8523 are only used up to a value of 10% of the ex-works price of the product 	<p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8525	<p>Transmission apparatus for radio-telephony, radio-telegraphy, radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used 	<p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
8526	<p>Radar apparatus, radio navigational aid apparatus and radio remote control apparatus</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used 	<p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
8527	Reception apparatus for radio-telephony, radio-telegraphy or radio broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used 	
8528	<p>Television receivers (including video monitors and video projectors), whether or not incorporating radio broadcast receivers or sound or video recording or reproducing apparatus</p> <ul style="list-style-type: none"> - Video recording or reproducing apparatus incorporating a video tuner - Other 	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used 	
8529	Parts suitable for use solely or principally with the apparatus of heading Nos. 8525 to 8528:	<p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
8535 and 8536	<ul style="list-style-type: none"> - Suitable for use solely or principally with video recording or reproducing apparatus - Other <p>Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits</p>	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where, within the above limit, the materials classified within heading No 8538 are only used up to a value of 10% of the ex-works price of the product 	<p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8537	Boards, panels (including numerical control panels), consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading No 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, other than switching apparatus of heading No 8517	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where, within the above limit, the materials classified within heading No 8538 are only used up to a value of 10% of the ex-works price of the product 	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 8541	Diodes, transistors and similar semi-conductor devices, except wafers not yet cut into chips	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
8542	Electronic integrated circuits and microassemblies	Manufacture: – in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and – where, within the above limit, the materials classified within heading No 8541 or 8542, taken together, are only used up to a value of 10% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
8544	Insulated (including enamelled or anodised) wire, cable (including coaxial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibres cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8545	Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8546	Electrical insulators of any material	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
8547	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating materials apart from any minor components of metal (for example, threaded sockets) incorporated during moulding solely for purposes of assembly other than insulators of heading No 8546; electrical conduit tubing and joints therefor, of base metal lined with insulating material	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8548	Electrical parts of machinery or apparatus, not specified or included elsewhere in this Chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
8601 to 8607	Railway or tramway locomotives, rolling-stock and parts thereof	Manufacture in which the value of all materials used does not exceed 40% of the ex-works price of the product	
8608	Railway or tramway track fixtures and fittings; mechanical (including electro-mechanical) signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities, port installations or airfields; parts of the foregoing	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
8609	Containers (including containers for the transport of fluids) especially designed and equipped for carriage by one or more modes of transport	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
	<p>-- Exceeding 50 cm³</p> <p>- Other</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used 	<p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
ex 8712	Bicycles without ball bearings	Manufacture from materials not classified in heading No 8714	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
8715	Baby carriages and parts thereof	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product 	
8716	Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product 	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex Chap. 88	Aircraft, spacecraft, and parts thereof; except for heading Nos ex 8804 and 8805 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 8804	Rotochutes	Manufacture from materials of any heading including other materials of heading No 8804	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8805	Aircraft launching gear; deck-arrestor or similar gear; ground flying trainers; parts of the foregoing articles	Manufacture in which all the materials used are classified within a heading other than that of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
Chap. 89	Ships, boats and floating structures	Manufacture in which all the materials used are classified within a heading other than that of the product. However, hulls of heading No 8906 may not be used	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex Chap. 90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof; except for heading Nos 9001, 9002, 9004, ex 9005, ex 9006, 9007, 9011, ex 9014, 9015 to 9020 and 9024 to 9033 for which the rules are set out below:	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
9001	Optical fibres and optical fibre bundles; optical fibre cables other than those of heading No 8544; sheets and plates of polarizing material, lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9002	Lenses, prisms, mirrors and other optical elements, of any materials, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9004	Spectacles, goggles and the like, corrective, protective or other	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
ex 9005	Binoculars, monoculars, other optical telescopes, and mountings therefor, except for astronomical refracting telescopes and mountings therefor	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 40% of the ex-works price of the product, and – where the value of all the non-originating materials used does not exceed the value of the originating materials used	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
ex 9006	Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than electrically ignited flashbulbs	Manufacture in which: <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used 	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9007	Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus	Manufacture in which: <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used 	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9011	Compound optical microscopes, including those for photomicrography, cinephotomicrography or microprojection	Manufacture in which: <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used 	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	or (4)
ex 9014	Other navigational instruments and appliances	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9015	Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses; rangefinders	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9016	Balances of a sensitivity of 5 cg or better, with or without weights	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9017	Drawing, marking-out or mathematical calculating instruments (for example, drafting machines, pantographs, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in this Chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9018	Instruments and appliances used in medical, surgical, dental or veterinary sciences, including scintigraphic apparatus, other electro-medical apparatus and sight-testing instruments: – Dentists' chairs incorporating dental appliances or dentists' spittoons	Manufacture from materials of any heading, including other materials of heading No 9018	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
9019	<p>- Other</p> <p>Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus</p>	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product 	<p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
9020	Other breathing appliances and gas masks, excluding protective masks having neither mechanical parts nor replaceable filters	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product 	<p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
9024	Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics)	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>	
9025	Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
9029	Revolution counters, production counters, taximeters, milometers, pedometers and the like; speed indicators and tachometers, other than those of heading Nos 9104 or 9015; stroboscopes	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9030	Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading No 9028; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionizing radiations	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9031	Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this Chapter; profile projectors	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9032	Automatic regulating or controlling instruments and apparatus	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
9033	Parts and accessories (not specified or included elsewhere in this Chapter) for machines, appliances, instruments or apparatus of Chapter 90	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
ex Chap. 91	Clocks and watches and parts thereof; except for heading Nos 9105 and 9109 to 9113 for which the rules are set out below:	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
9105	Other clocks	Manufacture: - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9109	Clock movements, complete and assembled	Manufacture: - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where the value of all the non-originating materials used does not exceed the value of the originating materials used	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9110	Complete watch or clock movements, unassembled or partly assembled (movement sets); incomplete watch or clock movements, assembled; rough watch or clock movements	Manufacture: - in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and - where, within the above limit, the materials classified within heading No 9114 are only used up to a value of 10% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9111	Watch cases and parts thereof	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
9112	Clock cases and cases of a similar type for other goods of this Chapter, and parts thereof	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 40% of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9113	Watch straps, watch bands and watch bracelets, and parts thereof: - Of base metal, whether or not plated, or of clad precious metal - Other	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
Chap. 92	Musical instruments; parts and accessories of such articles	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product	
Chap. 93	Arms and ammunition; parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex Chap. 94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated nameplates and the like; prefabricated buildings; except for heading Nos 9401, ex 9403, 9405 and 9406 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
ex 9401 and ex 9403	Base metal furniture, incorporating unstuffed cotton cloth of a weight of 300 g/m ² or less	<p>Manufacture in which all the materials used are classified in a heading other than that of the product</p> <p>or</p> <p>Manufacture from cotton cloth already made up in a form ready for use of heading No 9401 or 9403, provided:</p> <ul style="list-style-type: none"> - its value does not exceed 25% of the ex-works price of the product, end - all the other materials used are already originating and are classified in a heading other than heading No 9401 or 9403 	
9405	Lamps and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
9406	Prefabricated buildings	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex Chap. 95	Toys, games and sports requisites; parts and accessories thereof; except for heading Nos 9503 and 9606 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
9503	Other toys; reduced-size ("scale") models and similar recreational models, working or not; puzzles of all kinds	Manufacture in which: – all the materials used are classified within a heading other than that of the product, and – the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 9506	Articles and equipment for gymnastics, athletics, other sports (excluding table tennis) or outdoor games not specified or included elsewhere in this chapter; swimming pools and paddling pools	Manufacture in which all the materials used are classified within a heading other than that of the product. However, roughly shaped blocks for making golf club heads may be used	
ex Chap. 96	Miscellaneous manufactured articles; except for heading Nos ex 9601, ex 9602, ex 9603, 9605, 9606, 9612, ex 9613 and ex 9614 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product	
ex 9601 and 9602	Articles of animal, vegetable or mineral carving materials	Manufacture from "worked" carving materials of the same heading	
ex 9603	Brooms and brushes (except for besoms and the like and brushes made from marten or squirrel hair), hand-operated mechanical floor sweepers, not motorized, paint pads and rollers, squeegees and mops	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product	

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status	
		(3)	or (4)
9605	Travel sets for personal toilet, sewing or shoe or clothes cleaning	Each item in the set must satisfy the rule, which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided their total value does not exceed 15% of the ex-works price of the set	
9606	Buttons, press-fasteners, snap-fasteners and press-studs, button moulds and other parts of these articles; button blanks	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 50% of the ex-works price of the product	
9612	Typewriter or similar ribbons, inked or otherwise prepared for giving impressions, whether or not on spools or in cartridges; ink-pads, whether or not inked, with or without boxes	Manufacture in which: - all the materials used are classified within a heading other than that of the product, and - the value of all the materials used does not exceed 50% of the ex-works price of the product	
ex 9613	Lighters with piezo-igniter	Manufacture in which the value of all the materials of heading No 9613 used does not exceed 30% of the ex-works price of the product	
ex 9614	Smoking pipes and pipe bowls	Manufacture from roughly shaped blocks	
Chap. 97	Works of art, collectors' pieces and antiques	Manufacture in which all the materials used are classified within a heading other than that of the product	

ANNEX III

MOVEMENT CERTIFICATES EUR.1

1. Movement certificates EUR.1 shall be made out on the form of which a specimen appears in this Annex. This form shall be printed in one or more of the languages in which the Agreement is drawn up. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State. If they are handwritten, they shall be completed in ink and in capital letters.
2. Each certificate shall measure 210 x 297 mm; a tolerance of up to minus 5 mm or plus 8 mm in the length may be allowed. The paper used must be white, sized for writing, not containing mechanical pulp and weighing not less than 25 g/m³. It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.
3. The competent authorities of the Member States of the Community and of Tunisia may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

MOVEMENT CERTIFICATE

(1) If goods are not packed, indicate number of articles or state "in bulk" as appropriate.

(2) Complete only where the regulations of the exporting country or territory require.

1. Exporter (name, full address, country)		EUR.1 No A 000.000	
		See notes overleaf before completing this form	
3. Consignee (name, full address, country) (Optional)		2. Certificate used in preferential trade between and (insert appropriate countries, groups of countries or territories)	
		4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination
6. Transport details (Optional)		7. Remarks	
8. Item number; Merks and numbers; Number and kind of package (1); Description of goods		9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)
11. CUSTOMS ENDORSEMENT Declaration certified Export document (2) Form No Customs office Issuing country or territory Date (Signature)		Stamp	12. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Piece and date (Signature)

<p>13. Request for verification, to:</p>	<p>14. Result of verification</p>
<p>Verification of the authenticity and accuracy of this certificate is requested</p> <p>..... <i>(Place and date)</i></p> <p style="text-align: center;">Stamp</p> <p>..... <i>(Signature)</i></p>	<p>Verification carried out shows that this certificate (*)</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>..... <i>(Place and date)</i></p> <p style="text-align: center;">Stamp</p> <p>..... <i>(Signature)</i></p> <p>(*) Insert X in the appropriate box.</p>

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter (name, full address, country) (Optional)	EUR. 1 No A 000.000		
	See notes overleaf before completing this form		
3. Consignee (name, full address, country) (Optional)	2. Application for a certificate to be used in preferential trade between		
	<p>.....</p> <p style="text-align: center;">and</p> <p>.....</p> <p style="text-align: center;"><i>(insert appropriate countries or groups of countries or territories)</i></p>		
6. Transport details (Optional)	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
	7. Remarks		
8. Item number; Marks and numbers: Number and kind of packages (*); Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoiced (Optional)	

(*) If goods are not packed, indicate number of articles or sets "in bulk" if appropriate.

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....
.....
.....
.....

SUBMIT the following supporting documents ⁽¹⁾:

.....
.....
.....
.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

⁽¹⁾ For example, import documents, movement certificates, manufacturer's declarations, etc. referring to the products used in manufacture or to the goods re-exported in the same state.

ANNEX IV

Declaration referred to in Article 27

I, the undersigned, exporter of the goods covered by this document declare that except where otherwise indicated ⁽¹⁾, the goods meet the conditions to obtain originating status in preferential trade with:

The European Community / Tunisia ⁽²⁾

and that the country of origin of the goods is:

Tunisia / The European Community ⁽²⁾ ⁽³⁾

.....
(place and date)

.....
(Signature)
(The signature must be followed by the name of the signatory in clear script)

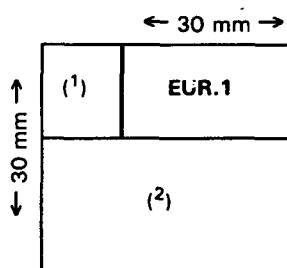
⁽¹⁾ When an invoice also includes products not originating in the Community, the exporter must clearly indicate them.

⁽²⁾ Delete where necessary.

⁽³⁾ Reference can be made to a specific column of the invoice in which the country of origin of each product is entered.

ANNEX V

Specimen impression of the stamp mentioned in Article 22(3)(b)



(¹) Initials or coat of arms of the exporting State.

(²) Such information as is necessary for the identification of the approved exporter.

ANNEX VI

Specimen of declaration

I, the undersigned, declare that the goods listed on this invoice were obtained in . . .

.....

and (as appropriate):

(a) (1) satisfy the rules on the definition of the concept of "wholly obtained products"

or

(b) (2) were produced from the following products:

Description	Country of origin (2)	Value (1)
.....
.....
.....
.....
.....

and have undergone the following processes:

..... (indicate processings)

in

.....

Done at

.....
(Signature)

(1) Complete if necessary.

(2) Complete if necessary. In the event that:

- the goods originate in a country covered by the Agreement: indicate the country;
- the products originate in another country: indicate "third country".

ANNEX VII

<p>1. Supplier (*)</p>	<p>INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE for preferential trade between the</p>		
<p>2. Consignee (*)</p>	<p>EUROPEAN COMMUNITY and <small>(in block letters)</small></p>		
<p>3. Processor (*)</p>	<p>4. State in which the working or processing has been carried out</p>		
<p>6. Customs office of importation (*)</p>	<p>5. For official use</p>		
<p>7. Import document (*) Form No Series Date <input type="text"/> <input type="text"/> <input type="text"/></p>			
<p>GOODS SENT TO THE MEMBER STATE OF DESTINATION</p>			
<p>8. Marks, numbers, quantity and kind of package</p>	<p>9. Tariff heading number and description of goods</p>	<p>10. Quantity (*)</p>	
		<p>11. Value (*)</p>	
<p>IMPORTED GOODS USED</p>			
<p>12. Tariff heading number and description</p>	<p>13. Country of origin (*)</p>	<p>14. Quantity (*)</p>	<p>15. Value (*) (*)</p>
<p>16. Nature of the working or processing carried out</p>			
<p>17. Remarks</p>			
<p>18. CUSTOMS ENDORSEMENT Declaration certified Document Form No Customs office Date <input type="text"/> <input type="text"/> <input type="text"/></p>		<p>19. DECLARATION BY THE SUPPLIER I, the undersigned, declare that the information on this certificate is accurate</p> <p style="text-align: center;">..... <input type="text"/> <input type="text"/> <input type="text"/></p> <p style="text-align: center;">(Place) (Date)</p>	
<p>..... (Signature)</p>		<p>..... (Signature)</p>	
<p>Official stamp</p>			

(*) (*) (*) (*) (*) See footnotes on verso.

REQUEST FOR VERIFICATION	RESULT OF VERIFICATION
<p>The undersigned customs official requests verification of the authenticity and accuracy of this information certificate</p>	<p>Verification carried out by the undersigned customs official shows that this information certificate:</p> <p>(a) was issued by the customs office indicated and that the information contained therein is accurate (*)</p> <p>(b) does not meet the requirements as to authenticity and accuracy (see notes appended) (*)</p>
<p>..... (Place and date)</p> <div data-bbox="229 562 337 664" style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p>Official stamp</p> </div>	<p>..... (Place and date)</p> <div data-bbox="709 562 817 664" style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p>Official stamp</p> </div>
<p>..... (Official's signature)</p>	<p>..... (Official's signature)</p>
<p>(*) Delete where not applicable.</p>	

CROSS REFERENCES

- (¹) Name of individual or business and full address.
- (²) Optional information.
- (³) Kg, hl, m³ or other measure.
- (⁴) Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the article packed, and which has a lasting utility value of its own, apart from its function as packaging.
- (⁵) Complete if necessary. In the event that:
- the goods originate in a country covered by the Agreement or Convention concerned: indicate the country;
 - the products originate in another country: indicate 'third country'.
- (⁶) The value must be indicated in accordance with the provisions on rules of origin.

*ANNEX VIII***Joint declaration on Article 1**

The parties agree that the provisions of Article 1(e) of the Protocol shall not prejudice the right of Tunisia to benefit from special and differential treatment and other derogations accorded to developing countries by the agreement on implementation of Article VII of the General Agreement on Tariffs and Trade.

Joint declaration on Articles 19 and 33

The parties agree to the necessity to establish Explanatory Notes to the provisions of Article 19(1)(b) and Article 33(1) and (2) of the Protocol.

Joint declaration on Article 39

For the implementation of Article 39 of this Protocol, the Community is prepared to examine any request from Tunisia for derogations from the rules of origin after signature of the Agreement.

PROTOCOL No 5
ON MUTUAL ASSISTANCE IN CUSTOMS MATTERS
BETWEEN THE ADMINISTRATIVE AUTHORITIES

ARTICLE 1

Definitions

For the purposes of this Protocol:

- (a) "customs legislation" shall mean any statutory or regulatory provision applicable in the territory of the Contracting Parties governing the import, export, transit of goods and their placing under any customs procedure, including measures of prohibition, restriction and control adopted by the Parties concerned;
- (b) "applicant authority" shall mean a competent administrative authority which has been appointed by a Contracting Party for this purpose and which makes a request for assistance in customs matters;
- (c) "requested authority" shall mean a competent administrative authority which has been appointed by a Contracting Party for this purpose and which receives a request for assistance in customs matters;
- (d) "personal data" shall mean any data relating to an identified or identifiable natural person.

ARTICLE 2

Scope

1. The Contracting Parties shall assist each other, within their areas of responsibility, according to the procedures and under the conditions laid down in this Protocol, with a view to the prevention, investigation and detection of operations that contravene customs legislation.

2. Assistance in customs matters, as provided for in this Protocol, applies to any administrative authority of the Contracting Parties which is competent for the application of this Protocol. It shall not prejudice the rules governing mutual assistance in criminal matters. Nor shall it cover information obtained under powers exercised at the request of judicial authorities, unless those authorities so agree.

ARTICLE 3

Assistance on request

1. At the request of the applicant authority, the requested authority shall furnish it with all relevant information to enable it to ensure that customs legislation is correctly applied, in particular information regarding detected or projected operations which contravene or would contravene such legislation.
2. At the request of the applicant authority, the requested authority shall inform it whether goods exported from the territory of one of the Contracting Parties have been properly imported into the territory of the other Party, specifying, where appropriate, the customs procedure applying to the goods.
3. At the request of the applicant authority, the requested authority shall undertake surveillance, in accordance with its own legislation, of:
 - (a) natural or legal persons in respect of whom there are reasonable grounds for believing that they are engaging in or have engaged in operations which contravene customs legislation;
 - (b) places where stocks of goods have been assembled in such a way that there are reasonable grounds for supposing that they are intended as supplies for operations contrary to the legislation of the other Contracting Parties;
 - (c) movements of goods notified as possibly involving operations that contravene customs legislation;

- (d) means of transport for which there are reasonable grounds for believing that they have been, are or may be, used for the purposes of contravening customs legislation.

ARTICLE 4

Spontaneous assistance

The Contracting Parties shall provide each other, in accordance with their laws, rules and other legal instruments, with assistance if they consider that to be necessary for the correct application of customs legislation, particularly when they obtain information pertaining to:

- operations which contravene or which they believe to be in contravention of such legislation and which may be of interest to the other Contracting Parties;
- new means or methods employed in realizing such operations;
- goods known to be involved in operations contravening customs legislation;
- natural or legal persons in respect of whom there are reasonable grounds for believing that they are engaging in or have engaged in operations which contravene customs legislation;
- means of transport for which there are reasonable grounds for believing that they have been, are or may be used in the contravening of customs legislation.

ARTICLE 5**Delivery/Notification**

At the request of the applicant authority, the requested authority shall in accordance with its legislation take all necessary measures in order:

- to deliver any document,
- to notify any decision,

falling within the scope of this Protocol to an addressee, residing or established in its territory. In such a case Article 6(3) is applicable.

ARTICLE 6**Form and substance of requests for assistance**

1. Requests pursuant to this Protocol shall be made in writing. Documents deemed useful to help respond to such requests shall accompany the request. When required because of the urgency of the situation, oral requests may be accepted, but must be confirmed in writing immediately.
2. Requests pursuant to paragraph 1 shall include the following information:
 - (a) the applicant authority making the request;
 - (b) the measure requested;
 - (c) the object of and the reason for the request;
 - (d) the laws, rules and other legal elements involved;
 - (e) indications as exact and comprehensive as possible on the natural or legal persons being the target of the investigations;

- (f) a summary of the relevant facts and of the enquiries already carried out, except in cases provided for in Article 5.
3. Requests shall be submitted in an official language of the requested authority or in a language acceptable to such authority.
4. If a request does not meet the formal requirements, its correction or completion may be demanded; the ordering of precautionary measures may, however, take place.

ARTICLE 7

Execution of requests

1. In order to comply with a request for assistance, the requested authority shall proceed, within its competence and available resources, as though it were acting on its own account or at the request of other authorities of that same Contracting Party, by supplying information already possessed, by carrying out appropriate enquiries or by arranging for them to be carried out. This provision shall apply also to the administrative department to which the request has been addressed by the requested authority when the latter cannot act on its own.
2. Requests for assistance shall be executed in accordance with the laws, rules and other legal instruments of the requested Contracting Party.
3. Duly authorized officials of a Contracting Party may, with the agreement of the other Contracting Party involved and within the conditions laid down by the latter, obtain from the offices of the requested authority or other authority for which the requested authority is responsible, information relating to the operations contravening or likely to contravene customs legislation which the applicant authority needs for the purposes of this Protocol.
4. Officials of a Contracting Party may, with the agreement of the other Contracting Party involved and within the conditions laid down by the latter, be present at enquiries carried out in the latter's territory.

ARTICLE 8**Form in which information is to be communicated**

1. The requested authority shall communicate results of enquiries to the applicant authority in the form of documents, certified copies of documents, reports and the like.
2. The documents provided for in paragraph 1 may be replaced by computerized information produced in any form for the same purpose.

ARTICLE 9**Exceptions to the obligation to provide assistance**

1. The Contracting Parties may refuse to give assistance as provided for in this Protocol, where to do so would:
 - (a) be likely to prejudice Tunisia's sovereignty or that of a Member State of the Community whose assistance has been requested pursuant to this Protocol; or
 - (b) be likely to prejudice their public policy, security or other essential interests; or
 - (c) involve legislation other than customs legislation; or
 - (d) violate an industrial, commercial or professional secret.
2. Where the applicant authority asks for assistance which it would itself be unable to provide if so asked, it shall draw attention to that fact in its request. It shall then be left to the requested authority to decide how to respond to such a request.
3. If assistance is denied, the decision and the reasons therefor must be notified to the applicant authority without delay.

ARTICLE 10**Obligation to observe confidentiality**

1. Any information communicated in whatsoever form pursuant to this Protocol shall be of a confidential nature. It shall be covered by the obligation of official secrecy and shall enjoy the protection extended to like information under the relevant legislation of the Contracting Party which received it and the corresponding provisions applying to the Community authorities.
2. Personal data may be communicated only where the level of protection granted to persons laid down in the legislation of the Contracting Parties is equivalent. The Contracting Parties must ensure at least a level of protection based on the principles contained in the Annex to this Protocol.

ARTICLE 11**Use of information**

1. Information obtained, including information relating to personal data, shall be used solely for the purposes of this Protocol and may be used within each Contracting Party for other purposes only with the prior written consent of the administrative authority which furnished the information and shall be subject to any restrictions laid down by that authority. These provisions shall not be applicable when the information obtained for the purposes of this Protocol could also be used for the purposes of fighting against illicit trafficking of narcotic drugs and psychotropic substances. Such information may be communicated to other authorities directly involved in combating illicit drug traffic, within the limits of Article 2.
2. Paragraph 1 shall not impede the use of information in any judicial or administrative proceedings subsequently instituted for failure to comply with customs legislation. The competent authority which provided the information shall be informed immediately of such use.

3. The Contracting Parties may, in their records of evidence, reports and testimonies and in proceedings and charges brought before the courts, use as evidence information obtained and documents consulted in accordance with the provisions of this Protocol.

ARTICLE 12

Experts and witnesses.

1. An official of a requested authority may be authorized to appear, within the limitations of the authorization granted, as expert or witness in judicial or administrative proceedings regarding the matters covered by this Protocol in the jurisdiction of the other Contracting Party, and produce such objects, documents or authenticated copies thereof, as may be needed for the proceedings. The request for an appearance must indicate specifically on what matters and by virtue of what title or qualification the official will be questioned.

2. The authorized official shall enjoy the protection guaranteed by existing legislation to officials of the applicant authority on its territory.

ARTICLE 13

Assistance expenses

The Contracting Parties shall waive all claims on each other for the reimbursement of expenses incurred pursuant to this Protocol, except, as appropriate, for expenses to experts, witnesses, interpreters and translators who are not dependent upon public services.

ARTICLE 14**Implementation**

1. The implementation of this Protocol shall be entrusted to the national customs authorities of Tunisia on the one hand and the competent services of the Commission of the European Communities and, where appropriate, the customs authorities of the Member States on the other. They shall decide on all practical measures and arrangements necessary for its application, taking into consideration rules in the field of data protection. They may, through the Customs Cooperation Committee set up by Article 40 of Protocol No 4, recommend to the Association Council, amendments which they consider should be made to this Protocol.
2. The Contracting Parties shall consult each other and subsequently keep each other informed of the detailed rules of implementation which are adopted in accordance with the provisions of this Protocol.

ARTICLE 15**Complementarity**

1. This Protocol shall complement and not impede the application of any agreements on mutual assistance which have been concluded or may be concluded by individual or several Member States of the European Union and Tunisia. Nor shall it preclude more extensive mutual assistance granted under such agreements.
2. Without prejudice to Article 11, these agreements shall not prejudice Community provisions governing the communication between the competent services of the Commission and the customs authorities of the Member States of any information obtained in customs matters which could be of Community interest.

Annex to the Protocol

**FUNDAMENTAL PRINCIPLES APPLICABLE
TO DATA PROTECTION**

1. Personal data undergoing computer processing must be:
 - (a) obtained and processed fairly and lawfully;
 - (b) kept for explicit and legitimate purposes and not further used in a way incompatible with those purposes;
 - (c) appropriate, relevant and not excessive in relation to the purposes for which they are collected;
 - (d) accurate and, where necessary, kept up to date;
 - (e) kept in a form which permits identification of the person concerned for no longer than is necessary for the procedure for which the data were collected.
2. Personal data revealing racial origin, political or religious opinions or other beliefs, and data concerning a person's health or sex life, may not undergo computer processing except where suitable safeguards are provided by national law. These provisions apply also to personal data relating to criminal convictions.
3. Appropriate security measures must be taken to ensure that personal data recorded in computer filing systems are protected against unlawful destruction or accidental loss and against unauthorized alteration, disclosure or access.
4. Any person must have the right to:
 - (a) establish whether personal data relating to him are kept in a computer filing system, the purposes for which they are mainly used and the identity and normal place of residence or work of the person responsible for the filing system;

- (b) obtain at reasonable intervals, and without excessive delay or expense, confirmation as to the existence of a computer filing system containing personal data relating to him and communication of such data in an intelligible form;
 - (c) obtain, as appropriate, the rectification or erasure of such data where they have been processed in violation of the provisions laid down by the national legislation applying the fundamental principles contained in paragraphs 1 and 2 of this Annex;
 - (d) have access to legal remedies if no action is taken on a request for communication or, where appropriate, the communication, rectification or erasure referred to in paragraphs (b) and (c) above.
- 5.1 Derogations from the provisions of paragraphs 1, 2 and 4 of this Annex are allowed only in the cases below.
- 5.2 Derogations from the provisions of paragraphs 1, 2 and 4 of this Annex may be allowed where provided for in the legislation of the Contracting Party and where such derogation constitutes a necessary measure in a democratic society and is intended to:
- (a) safeguard national security, public order or a State's financial interests or prevent criminal offences;
 - (b) protect the data subjects or the rights and freedoms of others.
- 5.3 In the case of computerized filing systems containing personal data used for statistical purposes or scientific research, the rights referred to in paragraphs 4(b), (c) and (d) of this Annex may be restricted by law where such use is clearly unlikely to constitute an invasion of privacy of the data subjects.
6. No provision in this Annex is to be interpreted as restricting or prejudicing a Contracting Party's power to grant data subjects wider protection than that provided for in this Annex.

FINAL ACT

The plenipotentiaries of:

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE PORTUGUESE REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the EUROPEAN COMMUNITY and the Treaty establishing the EUROPEAN COAL AND STEEL COMMUNITY.

hereinafter referred to as "the Member States", and

of the EUROPEAN COMMUNITY and the EUROPEAN COAL AND STEEL COMMUNITY,

hereinafter referred to as "the Community",

of the one part,

and the plenipotentiaries of the REPUBLIC OF TUNISIA hereinafter referred to as "Tunisia",

of the other part,

meeting at Brussels on the seventeenth day of July in the year one thousand nine hundred and ninety-five for the signature of the Agreement establishing an association between the Community and its Member States, of the one part, and the Republic of Tunisia, of the other part, have adopted the following texts:

the Euro-Mediterranean Agreement and the following Protocols:

- | | |
|---------------|--|
| PROTOCOL No 1 | on the arrangements applying to imports into the Community of Agricultural Products originating in Tunisia |
| PROTOCOL No 2 | on the arrangements applying to imports into the Community of fishery products originating in Tunisia |
| PROTOCOL No 3 | on the arrangements applying to imports into Tunisia of Agricultural products originating in the Community |
| PROTOCOL No 4 | concerning the definition of originating products and methods of administrative cooperation |
| PROTOCOL No 5 | on mutual assistance in customs matters between the administrative authorities |

The plenipotentiaries of the Member States and of the Community and the plenipotentiaries of Tunisia have adopted the texts of the Joint Declarations listed below and annexed to this Final Act:

Joint Declaration relating to Article 5 of the Agreement

Joint Declaration relating to Article 10 of the Agreement

Joint Declaration relating to Article 39 of the Agreement

Joint Declaration relating to Article 42 of the Agreement

Joint Declaration relating to Article 49 of the Agreement

Joint Declaration relating to Article 50 of the Agreement

Joint Declaration relating to Article 64 of the Agreement

Joint Declaration relating to Article 64(1) of the Agreement

Joint Declaration relating to Article 65 of the Agreement

Joint Declaration relating to Articles 34, 35, 76 and 77 of the Agreement

Joint Declaration relating to textiles

The plenipotentiaries of Tunisia have taken note of the Declaration by the European Community mentioned below and annexed to this Final Act:

Declaration relating to Article 29 of the Agreement.

The plenipotentiaries of the Member States and of the Community have taken note of the Declaration by Tunisia mentioned below and annexed to this Final Act:

Declaration on safeguarding Tunisia's interests.

Declaration concerning Article 69 of the Agreement.

JOINT DECLARATIONS

Joint declaration relating to Article 5 of the Agreement

1. The Parties hereby agree that political dialogue at ministerial level should take place at least once a year.
2. The Parties consider that political dialogue should be established between the European Parliament and the Tunisian Chamber of Deputies.

Joint declaration relating to Article 10 of the Agreement

The Parties hereby agree to establish jointly the separate specification by Tunisia of an agricultural component in the import duties in force on goods originating in the Community before the entry into force of the Agreement in respect of the products appearing in list 2 in Annex 2 to the Agreement.

This principle will also apply to the products appearing in list 3 in Annex 2 to the Agreement before elimination of the industrial component begins.

Should Tunisia raise the duties in force on 1 January 1995 for the products mentioned above owing to the agricultural component, it will accord the Community a 25% reduction on the increase in duties.

Joint declaration relating to Article 39 of the Agreement

Under the Agreement, the Parties agree that intellectual, industrial and commercial property comprises, in particular, copyright, including copyright in computer programs, and neighbouring rights, commercial trademarks and geographical descriptions including designation of origin, industrial designs and models, patents, configuration plans (topographies) of integrated circuits, protection of undisclosed information and protection against unfair competition in accordance with Article 10(a) of the Paris Convention for the Protection of Industrial Property in the 1967 Act of Stockholm (Paris Union).

Joint declaration relating to Article 42 of the Agreement

The Parties reaffirm the importance they attach to decentralized cooperation programmes as an additional means of promoting exchange of experience and transfer of knowledge in the Mediterranean region and between the European Community and its partners.

Joint declaration relating to Article 49 of the Agreement

The Parties recognize the need to modernize the Tunisian productive sector in order to adapt it better to the realities of the international and European economy.

The Community will give its support to Tunisia in implementing a support programme in the industrial sectors to benefit from restructuring and updating in order to cope with difficulties which may stem from the liberalization of trade and in particular the dismantling of tariffs.

Joint declaration relating to Article 50 of the Agreement

The Contracting Parties attach importance to boosting the flow of direct investment to Tunisia.

They agree to expand Tunisia's access to Community investment promotion instruments in accordance with the relevant Community provisions.

Joint declaration relating to Article 64 of the Agreement

Without prejudice to the conditions and procedures applicable in each Member State, the Parties will examine the matter of access to a Member State's labour market of the spouse and children, legally resident under family reunification arrangements, of Tunisian workers legally employed on the territory of a Member State, except for seasonal workers, those on secondment or on placement, for the duration of the worker's authorized stay.

Joint declaration relating to Article 64(1) of the Agreement

With regard to the absence of discrimination as regards redundancy, Article 64(1) may not be invoked to obtain renewal of a residence permit. The granting, renewal or refusal of a residence permit shall be governed by the legislation of each Member State and the bilateral agreements and conventions in force between Tunisia and the Member State.

Joint declaration relating to Article 65 of the Agreement

It is understood that the term "members of their family" shall be defined according to the national legislation of the host country concerned.

Joint declaration relating to Articles 34, 35, 76 and 77 of the Agreement

If, during the progressive implementation of the Agreement, Tunisia experiences serious balance of payments difficulties, Tunisia and the Community may hold consultations to work out the best ways and means of helping Tunisia cope with these difficulties.

Such consultations will take place in conjunction with the International Monetary Fund.

Joint declaration relating to textiles

It is understood that the arrangements for textile products will be the subject of a special protocol, to be concluded by 31 December 1995, on the basis of the provisions of the arrangement in force in 1995.

DECLARATION BY THE COMMUNITY**Declaration relating to Article 29 of the Agreement**

If Tunisia concludes agreements with other Mediterranean countries with a view to establishing free trade, the Community is willing to consider cumulation of origin in its trade with those countries.

DECLARATIONS BY TUNISIA

Declaration on safeguarding Tunisia's interests

Tunisia wishes its interests be taken into account where any concessions and advantages are granted to other Mediterranean non-member countries under future agreements concluded between those countries and the Community.

Declaration concerning Article 69 of the Agreement

- Considering family reunification as basic right of Tunisian workers residing abroad,
- Bearing in mind that this right is a key factor in maintaining the balance of the family and guaranteeing success at school and the children's social and occupational integration,
- Notwithstanding the bilateral agreements concluded between Tunisia and certain Member States of the European Union,

Tunisia wishes the question of family reunification to be the subject of in-depth discussions with the Community with a view to easing and improving the conditions for family reunification.

[For the testimonium and signatures, see volume 2009, No. I-34462.]
