

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

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

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,

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);

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 modernisation,

HAVE AGREED AS FOLLOWS:

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 liberalisation 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

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, hereinafter referred to as the GATT.

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 authorised 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, authorise 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

2. 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 liberalisation 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 liberalisation 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 VI of the General Agreement on Tariffs and Trade, related internal legislation and the conditions and procedures laid down in Article 27.

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 of 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 liberalisation 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 liberalising 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, 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;

(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 rationalising 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 measures 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 liberalisation 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 liberalising Tunisia's economy as a whole, and more particularly by the liberalisation 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 harmonised 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 decentralised 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 decentralised cooperation networks;
- (b) back the effort to modernise 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 harmonised 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 standardisation and conformity assessment

The Parties shall cooperate in developing:

- (a) the use of Community rules in standardisation, 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 standardisation 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) modernise and restructure agriculture and fisheries through methods including the modernisation 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 modernisation 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, containerisation 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) standardisation, 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 modernise 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 organisations, 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

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 organisations.

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.

Hecho en Bruselas, el diecisiete de julio de mil novecientos noventa y cinco.

Udfærdiget i Bruxelles den syttende juli nitten hundrede og fem og halvfems.

Geschehen zu Brüssel am siebzehnten Juli neunzehnhundertfünfundneunzig.

„āéíá óðéò Āñōī_ēēāò, óðéò ä_êá åöðÛ Ēīōēßīō ÷βēéá áííéáēüóéá áíáí_íðá __íðá.

Done at Brussels on the seventeenth day of July in the year one thousand nine hundred and ninety-five.

Fait à Bruxelles, le dix-sept juillet mil neuf cent quatre-vingt-quinze.

Fatto a Bruxelles, addì diciassette luglio millenovecentonovantacinque.

Gedaan te Brussel, de zeventiende juli negentienhonderd vijfennegentig.

Feito em Bruxelas, em dezassete de Julho de mil novecentos e noventa e cinco.

Tehty Brysselissä seitsemäntenätoista päivänä heinäkuuta vuonna tuhatyhdeksäsataayhdeksänkymmentäviisi.

Som skedde i Bryssel den sjuttonde juli nittonhundra nittiofem.

>REFERENCE TO A GRAPHIC<

Pour le Royaume de Belgique

Voor het Koninkrijk België

Für das Königreich Belgien

>REFERENCE TO A GRAPHIC<

Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brusselse Hoofdstedelijke Gewest.

Diese Unterschrift verbindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

På Kongeriget Danmarks vegne

>REFERENCE TO A GRAPHIC<

Für die Bundesrepublik Deutschland

>REFERENCE TO A GRAPHIC<

Áéá ôçí Āëëçíéê_ Āçīññáôßá

>REFERENCE TO A GRAPHIC<

Por el Reino de España

>REFERENCE TO A GRAPHIC<

Pour la République française
>REFERENCE TO A GRAPHIC<
Thar ceann na hÉireann
For Ireland
>REFERENCE TO A GRAPHIC<
Per la Repubblica italiana
>REFERENCE TO A GRAPHIC<
Pour le Grand-Duché de Luxembourg
>REFERENCE TO A GRAPHIC<
Voor het Koninkrijk der Nederlanden
>REFERENCE TO A GRAPHIC<
Für die Republik Österreich
>REFERENCE TO A GRAPHIC<
Pela República Portuguesa
>REFERENCE TO A GRAPHIC<
Suomen tasavallan puolesta
>REFERENCE TO A GRAPHIC<
För Konungariket Sverige
>REFERENCE TO A GRAPHIC<
For the United Kingdom of Great Britain and Northern Ireland
>REFERENCE TO A GRAPHIC<
Por las Comunidades Europeas
For De Europæiske Fællesskaber
Für die Europäischen Gemeinschaften
Ãéá ôéò Ãõñù_áúê_ò Êïéiüôçôâò
For the European Communities
Pour les Communautés européennes
Per le Comunità europee
Voor de Europese Gemeenschappen
Pelas Comunidades Europeias
Euroopan yhteisöjen puolesta
På Europeiska gemenskapernas vägnar
>REFERENCE TO A GRAPHIC<
>REFERENCE TO A GRAPHIC<

ANNEX 1

>TABLE POSITION<

ANNEX 2

PRODUCTS REFERRED TO IN ARTICLE 10(2)

>TABLE POSITION<

>TABLE POSITION<

>TABLE POSITION<

ANNEX 3

CN Code
0505100
0505900
1302120
1302130
1302140
1302190
1302200
1302310
1505100
1505900
1515601
1515609
1516200
1522000
1702909
1804000
2001909
2101200
2101300
2103301
2106100
2106900
2403100
2403910
2403990
2501001
2501009
2502000
2504100
2504900
2505100
2505900
2506100
2506210
2506290
2507001
2507002
2508100
2508200
2508300
2508401
2508409
2508500
2508600

2508700
2509000
2511200
2512000
2513110
2513190
2513210
2513290
2514000
2516110
2516120
2516210
2516220
2517100
2517200
2517300
2517410
2517490
2518100
2518200
2518300
2519100
2519900
2520100
2521000
2523300
2524000
2525100
2525200
2525300
2526100
2526200
2527000
2528100
2528900
2529100
2529210
2529220
2529300
2530100
2530200
2530300
2530900
2601110
2601120
2601200
2602000
2603000

2604000
2605000
2606000
2607000
2608000
2609000
2610000
2611000
2612100
2612200
2613100
2613900
2614000
2615100
2615900
2616100
2616900
2617100
2617900
2618000
2619000
2620110
2620190
2620200
2620300
2620400
2621000
2701110
2701120
2701190
2701200
2702100
2702200
2703000
2704001
2704002
2705000
2706000
2707101
2707109
2707201
2707209
2707301
2707309
2707401
2707409
2707501
2707509

2707600
2707910
2707990
2708100
2708200
2709009
2712109
2712209
2712909
2713119
2713129
2713909
2714108
2714109
2714909
2715002
2715009
2801100
2801200
2801300
2802000
2803000
2804100
2804210
2804290
2804300
2804400
2804500
2804610
2804690
2804800
2804900
2805110
2805190
2805210
2805220
2805300
2809100
2810000
2811110
2811210
2811220
2811230
2812100
2812900
2813100
2813900
2814100

2814200
2815110
2815120
2815201
2815202
2815300
2816100
2816200
2816300
2817000
2818100
2818200
2818300
2819100
2820100
2820900
2821100
2821200
2823000
2824100
2824200
2824900
2825100
2825200
2825300
2825400
2825500
2825600
2825700
2825800
2825909
2826110
2826120
2826190
2826200
2826300
2826900
2827100
2827200
2827310
2827320
2827330
2827340
2827350
2827360
2827370
2827380
2827390

2827410
2827490
2827510
2827590
2827600
2828100
2828901
2828902
2828909
2829110
2829190
2829900
2830100
2830200
2830300
2830901
2830909
2831100
2831900
2832100
2832200
2832300
2833110
2833190
2833210
2833220
2833230
2833240
2833250
2833260
2833270
2833290
2833300
2833400
2834220
2835100
2835210
2835220
2835230
2835249
2835260
2835290
2835390
2836100
2836200
2836300
2836409
2836500

2836600
2836700
2836910
2836920
2836930
2836990
2839110
2839190
2839200
2839900
2840110
2840190
2840200
2840300
2841100
2841200
2841300
2841400
2841500
2841600
2841700
2841800
2841900
2842100
2842901
2842909
2844400
2846100
2846900
2847000
2848100
2848900
2849100
2849200
2849900
2850000
2851001
2851002
2851009
2901100
2901210
2901220
2901230
2901240
2901290
2902110
2902190
2902200

2902300
2902410
2902420
2902430
2902440
2902500
2902600
2902700
2903110
2903120
2903130
2903140
2903150
2903160
2903190
2903210
2903220
2903230
2903510
2903590
2903610
2903621
2903690
2904200
2904900
2905110
2905120
2905130
2905140
2905150
2905160
2905170
2905190
2905210
2905220
2905290
2905310
2905320
2905390
2905410
2905420
2905430
2905440
2905490
2905500
2906110
2906120
2906130

2906140
2906190
2906210
2906290
2907110
2907120
2907130
2907140
2907150
2907190
2907210
2907220
2907230
2907290
2907300
2908100
2908200
2908900
2909110
2909190
2909200
2909300
2909410
2909420
2909430
2909440
2909490
2909500
2909600
2910100
2910200
2910300
2910900
2911000
2912110
2912120
2912130
2912190
2912210
2912290
2912300
2912410
2912420
2912490
2912500
2912600
2913000
2914110

2914120
2914130
2914190
2914210
2914220
2914230
2914290
2914300
2914410
2914490
2914500
2914610
2914690
2914700
2915110
2915120
2915130
2915210
2915220
2915230
2915240
2915290
2915310
2915320
2915330
2915340
2915350
2915390
2915400
2915500
2915600
2915700
2915900
2916110
2916120
2916130
2916140
2916150
2916190
2916200
2916310
2916320
2916330
2916390
2917110
2917120
2917130
2917140

2917190
2917200
2917310
2917320
2917330
2917340
2917350
2917360
2917370
2917390
2918110
2918120
2918130
2918140
2918150
2918160
2918170
2918190
2918210
2918220
2918230
2918290
2918300
2918900
2919000
2920100
2920901
2920909
2921110
2921120
2921190
2921210
2921220
2921290
2921300
2921410
2921420
2921430
2921440
2921450
2921490
2921510
2921590
2922110
2922120
2922130
2922190
2922210

2922220
2922290
2922300
2922410
2922420
2922490
2922500
2923100
2923200
2923900
2924100
2924210
2924290
2925110
2925190
2925200
2926100
2926200
2926900
2927000
2928000
2929100
2929900
2930100
2930200
2930300
2930400
2930900
2931002
2931009
2932110
2932130
2932190
2932210
2932290
2932901
2932909
2933110
2933190
2933210
2933290
2933310
2933390
2933400
2933510
2933590
2933610
2933690

2933710
2933790
2933900
2934100
2934200
2934300
2934901
2934909
2935000
2940000
3001100
3001200
3001901
3001909
3002100
3002200
3002310
3002390
3002900
3003101
3003109
3003201
3003209
3003311
3003319
3003391
3003399
3003401
3003409
3003901
3003909
3004101
3004109
3004201
3004209
3004311
3004319
3004321
3004329
3004391
3004399
3004401
3004409
3004501
3004509
3004901
3004909
3006200

3006300
3006400
3006500
3101000
3102100
3102210
3102290
3102300
3102400
3102500
3102600
3102700
3102800
3102900
3103100
3103200
3103900
3104100
3104200
3104300
3104900
3105100
3105200
3105300
3105400
3105510
3105590
3105600
3105901
3105909
3201100
3201200
3201300
3201900
3202100
3202900
3203000
3204110
3204120
3204130
3204140
3204150
3204160
3204170
3204190
3204200
3204900
3205000

3206100
3206200
3206300
3206410
3206420
3206430
3206490
3206500
3207100
3207200
3207300
3207400
3212100
3212901
3213100
3213900
3214900
3215901
3215902
3215909
3301110
3301120
3301130
3301140
3301190
3301210
3301220
3301230
3301240
3301250
3301260
3301291
3301299
3301300
3301901
3301902
3301903
3302900
3401111
3402120
3402130
3402191
3403111
3403119
3403191
3403199
3403910
3403990

3404100
3404200
3404900
3405200
3405300
3405400
3405901
3405909
3407001
3407002
3407009
3501100
3501900
3502100
3502900
3503001
3503009
3504000
3505100
3505200
3506910
3506991
3506992
3506999
3507100
3507900
3701100
3701200
3701910
3701990
3702100
3702200
3702310
3702320
3702390
3702410
3702420
3702430
3702440
3702510
3702520
3702530
3702540
3702550
3702560
3702910
3702920
3702930

3702940
3702950
3703100
3703200
3703900
3705100
3705200
3705900
3707100
3707900
3801100
3801200
3801300
3801900
3802100
3802900
3803000
3804001
3804009
3805100
3805200
3805900
3806100
3806200
3806300
3806901
3806909
3807000
3809100
3809910
3809920
3809990
3810100
3810900
3811110
3811190
3811210
3811290
3811900
3812100
3812200
3812300
3814000
3815110
3815120
3815190
3815900
3816000

3817100
3817200
3818000
3820000
3821000
3822000
3823100
3823200
3823300
3823400
3823500
3823600
3823901
3823902
3823903
3901100
3901200
3901300
3901901
3901909
3902200
3902300
3902901
3902909
3903110
3903190
3903200
3903300
3903901
3903909
3904100
3904210
3904300
3904400
3904500
3904610
3904901
3904909
3905190
3905200
3905901
3905909
3906100
3906909
3907100
3907200
3907300
3907400

3907600
3907910
3907991
3907999
3908100
3908900
3909102
3909109
3909201
3909209
3909301
3909309
3909401
3909409
3909501
3909509
3910001
3910009
3911100
3911900
3912110
3912120
3912200
3912310
3912390
3912900
3913100
3913900
3914000
3918101
3918102
3918901
3918902
3919900
3921120
3921140
3921190
3926201
3926902
3926903
3926904
3926907
4001100
4001210
4001220
4001290
4001300
4002110

4002190
4002200
4002310
4002390
4002410
4002490
4002510
4002590
4002600
4002700
4002800
4002910
4002990
4003000
4004000
4005100
4005200
4005910
4005990
4006100
4006900
4007000
4009201
4009209
4009301
4009309
4009401
4009409
4009501
4009509
4010101
4010102
4010109
4010910
4010991
4010992
4010999
4011300
4014100
4014901
4014909
4015110
4015190
4015900
4016100
4016940
4016951
4016959

4016991
4016999
4017001
4017002
4101100
4101210
4101220
4101290
4101300
4101400
4102100
4102210
4102290
4103100
4103200
4103900
4104101
4104102
4104221
4104291
4104311
4104391
4105121
4105201
4106121
4106201
4107210
4107290
4107900
4111000
4204001
4204009
4401100
4401210
4401220
4401300
4402001
4402009
4403100
4403200
4403310
4403320
4403330
4403340
4403350
4403910
4403920
4403990

4404100
4404200
4405000
4413001
4413009
4417001
4421902
4421903
4501100
4501900
4601200
4601910
4601990
4602100
4602900
4701000
4702000
4703110
4703190
4703210
4703290
4704110
4704190
4704210
4704290
4705000
4706100
4706910
4706920
4706990
4801000
4802200
4802300
4802400
4805400
4811391
4811902
4812000
4813900
4822100
4823300
4823511
4823901
4823904
4904009
4905100
4905910
4905990

4908101
4908901
4911101
5001000
5002000
5003100
5003900
5004000
5005000
5006001
5006002
5007100
5007201
5007209
5007901
5007909
5101110
5101190
5101210
5101290
5101300
5102100
5102200
5103100
5103200
5103300
5104000
5105100
5105210
5105290
5105300
5105400
5107100
5108100
5108200
5109100
5109900
5110001
5110002
5202910
5203000
5204110
5204190
5204200
5207100
5207900
5301100
5301210

5301290
5301300
5302100
5302900
5303100
5303900
5304100
5304900
5305110
5305190
5305210
5305290
5305911
5305919
5305991
5305999
5306100
5306200
5307100
5307200
5308100
5308200
5308300
5308900
5309110
5309190
5309210
5309290
5310101
5310109
5310901
5310909
5311001
5311002
5311003
5311004
5311009
5402100
5402200
5402310
5402320
5402330
5402390
5402410
5402420
5402430
5402490
5402510

5402520
5402590
5402610
5402620
5402690
5403100
5403200
5403310
5403320
5403330
5403390
5403410
5403420
5403490
5404100
5404900
5405001
5405009
5406100
5406200
5501100
5501200
5501300
5501900
5502001
5502002
5502009
5503100
5503200
5503300
5503400
5503900
5504100
5504901
5504909
5506100
5506200
5506300
5506900
5507001
5507002
5507009
5509520
5511100
5511200
5511300
5603001
5603002

5603009
5604100
5604200
5604900
5605000
5606001
5606002
5606003
5606009
5607109
5607309
5607909
5608110
5608190
5608900
5609000
5801101
5801102
5801210
5801220
5801230
5801240
5801250
5801260
5801310
5801320
5801330
5801340
5801350
5801360
5801901
5801902
5806311
5806312
5806321
5806322
5806391
5806392
5809000
5902100
5902200
5902900
5903100
5903200
5903900
5905001
5905009
5908000

5909000
5910000
5911100
5911200
5911310
5911320
5911400
5911901
5911902
5911909
6115921
6115931
6117801
6217100
6217900
6307200
6502009
6507000
6603100
6603200
6603900
6804101
6804109
6804211
6804219
6804300
6806100
6806200
6806900
6807100
6807900
6810110
6810200
6812101
6812109
6812200
6812300
6812400
6812500
6812600
6812700
6812900
6814100
6814900
6815100
6815200
6815910
6815990

6902100
6902201
6902901
6903100
6903201
6903900
6904101
6904109
6904901
6904909
6905101
6906001
6906009
6909119
6909199
7002100
7002200
7002310
7002320
7002390
7003110
7003190
7003200
7003300
7004100
7005210
7005290
7010901
7010902
7011100
7011200
7011900
7014000
7015100
7017100
7017200
7017900
7019100
7019200
7019310
7019320
7019390
7019900
7020002
7104101
7104201
7104901
7201100

7201200
7201300
7201400
7202110
7202190
7202210
7202290
7202300
7202410
7202490
7202500
7202600
7202700
7202800
7202910
7202920
7202930
7202990
7203100
7203900
7205100
7205210
7205290
7206900
7208110
7208120
7208130
7208140
7208210
7208220
7208230
7208240
7208320
7208410
7208420
7209310
7209320
7209330
7209410
7209420
7209430
7209900
7210319
7210391
7210399
7210419
7210491
7210499

7210701
7210709
7210901
7210909
7211110
7211120
7211190
7211210
7211220
7211290
7211300
7211410
7211490
7211900
7212219
7212291
7212299
7212309
7212401
7212409
7212501
7212509
7212601
7212609
7213209
7213390
7213490
7213501
7213509
7214100
7214309
7214409
7214509
7214600
7215100
7215200
7215300
7215400
7215900
7216100
7216220
7216310
7216320
7216330
7216400
7216500
7216609
7216900

7217121
7217129
7217139
7217199
7217219
7217229
7217239
7217299
7217319
7217329
7217339
7217399
7218100
7218900
7301200
7302100
7302200
7302300
7302400
7302900
7303000
7304200
7305110
7307210
7307220
7307230
7307290
7307930
7307990
7312900
7315111
7315119
7315121
7315129
7315190
7315200
7315810
7315890
7315900
7317002
7318161
7319100
7319200
7319300
7319900
7321901
7326190
7326901

7326902
7326903
7401100
7401200
7402000
7403110
7403120
7403130
7403190
7403210
7403220
7403230
7403290
7405000
7406100
7406200
7407100
7407220
7407290
7408111
7408119
7408210
7408220
7408290
7409119
7409199
7409219
7409299
7409311
7409319
7409391
7409399
7409401
7409409
7409901
7409909
7410210
7410220
7412100
7414100
7414900
7416000
7417009
7419100
7419910
7419991
7501100
7501200

7502100
7502200
7504000
7505110
7505120
7505210
7505220
7506100
7506200
7507110
7507120
7507200
7508001
7508009
7601100
7601200
7603100
7603200
7604101
7604102
7604291
7604292
7605110
7605190
7605210
7605290
7606119
7606121
7606129
7606919
7606921
7606929
7607110
7609000
7613000
7614900
7616902
7616903
7616904
7616905
7801100
7801910
7801990
7803001
7803002
7804111
7804112
7804191

7804192
7804200
7806001
7806009
7901110
7901120
7901200
7903100
7903900
7904000
7905000
7906001
7906002
7907100
7907901
8001100
8001200
8003001
8003009
8004000
8005100
8005200
8006001
8007001
8007002
8007009
8101100
8101920
8101930
8101990
8102100
8102910
8102920
8102930
8102990
8103100
8103900
8104110
8104200
8104300
8104901
8104909
8105900
8106000
8107100
8107900
8108100
8108900

8110001
8110009
8111001
8111009
8112190
8112200
8112400
8112910
8112990
8201500
8201600
8202400
8203300
8203400
8204200
8208300
8208901
8209000
8210000
8211940
8212109
8212201
8212209
8212909
8214109
8301500
8301701
8302600
8305100
8305900
8307100
8311900
8401200
8402900
8403900
8405900
8406110
8406190
8406900
8407100
8407210
8407290
8407900
8409100
8410900
8411910
8411990
8412100

8412900
8414200
8414900
8418696
8419310
8419901
8419902
8419909
8420990
8421120
8421910
8422110
8422190
8423890
8425200
8425310
8425410
8428400
8428600
8428900
8430200
8431100
8431200
8431410
8431420
8431490
8432801
8432901
8433110
8433190
8437100
8437800
8437900
8442400
8443900
8448330
8448410
8448420
8450200
8450909
8451210
8452210
8452290
8452300
8453900
8454900
8455900
8462310

8462490
8466910
8466920
8466930
8466940
8467110
8467190
8467810
8467890
8467910
8467920
8467990
8469100
8469210
8469290
8469310
8469390
8470101
8470109
8470210
8470290
8470300
8470400
8470900
8472100
8472200
8472300
8473100
8473210
8473290
8473300
8473400
8474320
8475900
8477900
8478100
8478900
8480300
8480710
8481101
8481109
8481200
8481300
8481400
8481801
8482100
8482200
8482300

8482400
8482500
8482800
8482910
8482990
8485100
8485900
8501100
8501310
8501511
8501512
8502201
8502202
8504230
8504311
8504312
8504500
8504900
8505110
8505190
8505900
8506901
8506909
8507301
8507309
8507400
8507800
8507901
8507902
8507904
8507909
8508100
8508200
8508800
8508900
8509100
8509200
8509300
8509400
8509800
8509900
8510100
8510200
8510900
8511100
8511200
8511300
8511400

8511500
8511800
8511900
8512100
8512201
8512300
8512400
8513101
8513900
8515900
8516103
8516310
8516320
8516330
8516400
8516500
8516720
8516790
8516800
8517200
8517400
8518211
8518300
8518400
8519290
8519310
8519390
8519400
8520100
8520200
8521100
8521900
8522100
8523110
8523120
8523130
8523209
8524100
8524210
8524220
8524230
8524901
8526100
8526910
8526920
8527311
8527312
8527321

8527322
8530100
8530800
8530900
8532100
8532210
8532220
8532230
8532240
8532250
8532290
8532300
8532900
8533100
8533210
8533290
8533310
8533900
8535210
8535290
8535400
8536410
8539210
8539229
8539310
8539391
8539400
8540110
8540120
8540200
8540300
8540410
8540420
8540810
8540890
8540910
8540990
8541100
8541210
8541290
8541300
8541400
8541500
8541600
8542110
8542190
8542200
8542800

8542900
8543200
8543800
8543900
8545110
8545190
8545200
8545900
8546200
8547100
8603100
8603900
8606100
8606200
8606300
8606910
8606920
8607191
8607192
8607199
8607210
8607290
8607300
8607910
8607990
8608009
8701100
8701300
8701900
8703212
8703222
8703322
8801100
8801900
8803100
8803200
8803300
8803900
8904000
8906009
9001100
9001200
9002110
9002190
9002200
9002900
9004903
9005100

9005801
9005809
9005901
9005909
9006200
9006301
9006309
9006400
9006510
9006520
9006530
9006590
9006610
9006620
9006690
9006910
9006990
9007110
9007191
9007199
9007210
9007290
9007910
9007920
9008100
9008300
9008900
9009110
9009120
9009210
9009220
9009300
9009900
9010300
9010900
9011900
9013900
9014100
9014200
9014800
9014900
9015300
9015900
9017109
9017209
9017300
9017809
9017900

9018110
9018190
9018200
9018320
9018390
9018410
9018491
9018499
9018500
9018902
9018903
9018904
9018909
9019100
9019200
9020000
9021211
9021291
9022110
9022210
9022900
9024900
9025190
9025209
9025900
9026900
9027400
9027901
9027909
9028100
9028209
9028900
9029201
9029209
9029900
9030900
9031900
9032100
9032900
9033000
9107000
9108110
9108120
9108190
9108200
9108910
9108990
9109110

9109190
9109900
9110110
9110120
9110190
9110900
9114100
9114200
9114300
9114400
9114900
9201100
9201200
9201900
9202100
9202900
9203000
9204100
9204200
9205100
9205900
9206000
9207100
9207900
9208100
9208900
9209100
9209200
9209300
9209910
9209920
9209930
9209940
9209990
9402102
9402902
9402909
9405501
9502910
9502991
9506110
9506120
9506190
9506290
9506310
9506320
9506390
9506400

9506510
9506590
9506610
9506690
9506700
9506910
9506990
9507100
9507201
9507202
9507300
9507900
9508000
9603500
9603901
9603909
9606300
9607201
9608103
9608409
9608600
9609200

ANNEX 4

CN Code
1302320
1506000
1521100
1521900
2008910
2101100
2103100
2205100
2205900
2503100
2503900
2510100
2510200
2511101
2511109
2515110
2515200
2516901
2516902
2520200

2522100
2530400
2710001
2710003
2710005
2710009
2713209
2804700
2805400
2806200
2808000
2811190
2811290
2819900
2822000
2828903
2834109
2834299
2837110
2837190
2837200
2838000
2843100
2843210
2843290
2843300
2843900
2844100
2844200
2844300
2844500
2845100
2845900
2902900
2903290
2903300
2903400
2903622
2904100
2931001
2932120
2936100
2936210
2936220
2936230
2936240
2936250
2936260

2936270
2936280
2936290
2936900
2937100
2937210
2937220
2937290
2937910
2937920
2937990
2938100
2938900
2939100
2939210
2939290
2939300
2939400
2939500
2939600
2939700
2939901
2939909
2941100
2941200
2941300
2941400
2941500
2941900
2942000
3208101
3208102
3208103
3208201
3208202
3208203
3208901
3208902
3208903
3209101
3209102
3209901
3209902
3210001
3210002
3210003
3211000
3212902

3214101
3214109
3215190
3302100

3401193
3406000
3601001
3601009
3602001
3602002
3602003
3602004
3602009
3603001
3603002
3603003
3603009
3604100
3604901
3604902
3604909
3605000
3606901
3701300
3808301
3808302
3808309
3823909
3902100
3904220
3904690
3905510
3906901
3907501
3907509
3909101
3915100
3915200
3915300
3915900
3916100
3916200
3916900
3917100
3917210
3917220
3917230

3917290
3917310
3917320
3917330
3917390
3917400
3919100
3920200
3920420
3920510
3920590
3920610
3920620
3920630
3920690
3920710
3920720
3920731
3920739
3920790
3920910
3920920
3920930
3920940
3920990
3921110
3921130
3921900
3922100
3922200
3922900
3923100
3923211
3923219
3923291
3923299
3923300
3923400
3923500
3923900
3924100
3924900
3925101
3925109
3925200
3925300
3925900
3926100

3926209
3926300
3926400
3926901
3926905
3926906
3926909
4011101
4011202
4011203
4011209
4104109
4104210
4104229
4104299
4104319
4104399
4105110
4105129
4105190
4105209
4106110
4106129
4106190
4106209
4107100
4108000
4109000
4110000
4201000
4205001
4205002
4206101
4206109
4206900
4301100
4301200
4301300
4301400
4301500
4301600
4301700
4301800
4301900
4302110
4302120
4302130
4302190

4302200
4302300
4303100
4303900
4304000
4409100
4409200
4412110
4412120
4412190
4412210
4412290
4412910
4412990
4414000
4415100
4415200
4416000
4417002
4417009
4418100
4418200
4418300
4418400
4418500
4418901
4418909
4420100
4420900
4421100
4421901
4421904
4421909
4502000
4503100
4503900
4504100
4504900
4601100
4707100
4707200
4707300
4707900
4804110
4804190
4805100
4805221
4805222

4805229
4805230
4805291
4805299
4805300
4805500
4806100
4806200
4806300
4806400
4807100
4807910
4807990
4808200
4808300
4908900
4810110
4810120
4810210
4810290
4810310
4810320
4810390
4810991
4810992
4811100
4811310
4811399
4811400
4811901
4813100
4813200
4814100
4814200
4814300
4814900
4815000
4818500
4823200
4823400
4823902
4823903
4823905
4904001
4907003
4907009
4908102
4908109

4908902
4908909
4909000
4910001
4910009
4911109
4911910
4911990
5106100
5106200
5107200
5111110
5111190
5111200
5111300
5111900
5112110
5112190
5112200
5112300
5112900
5113001
5113002
5202100
5202990
5205110
5205120
5205130
5205140
5205150
5205210
5205220
5205230
5205240
5205250
5205310
5205320
5205330
5205340
5205350
5205410
5205420
5205430
5205440
5205450
5206110
5206120
5206130

5206140
5206150
5206210
5206220
5206230
5206240
5206250
5206310
5206320
5206330
5206340
5206350
5206410
5206420
5206430
5206440
5206450
5401101
5401102
5401201
5401202
5407100
5407200
5407300
5407410
5407420
5407430
5407440
5407510
5407520
5407530
5407540
5407600
5407710
5407720
5407730
5407740
5407810
5407820
5407830
5407840
5407910
5407920
5407930
5407940
5408100
5408210
5408220

5408230
5408240
5408310
5408320
5408330
5408340
5505100
5505200
5508101
5508109
5508201
5508209
5509110
5509120
5509210
5509220
5509310
5509320
5509410
5509420
5509510
5509530
5509590
5509610
5509620
5509690
5509910
5509920
5509990
5510110
5510120
5510200
5510300
5510900
5513110
5513120
5513130
5513190
5513210
5513220
5513230
5513290
5513310
5513320
5513330
5513390
5513410
5513420

5513430
5513490
5514110
5514120
5514130
5514190
5514210
5514220
5514230
5514290
5514310
5514320
5514330
5514390
5514410
5514420
5514430
5514490
5516110
5516120
5516130
5516140
5516210
5516220
5516230
5516240
5516310
5516320
5516330
5516340
5516410
5516420
5516430
5516440
5516910
5516920
5516930
5516940
5601211
5601212
5601221
5601222
5601229
5601291
5601299
5601300
5602100
5602210

5602290
5602900
5607101
5607210
5607291
5607299
5607301
5607410
5607491
5607499
5607501
5607509
5607901
5702200
5704100
5704900
5802110
5802190
5802200
5802300
5803100
5803900
5804100
5804210
5804290
5806100
5806200
5806319
5806329
5806399
5806400
5807101
5807109
5807901
5807909
5808100
5808901
5808902
5808909
5810100
5810910
5810920
5810990
5811001
5811002
5811003
5811009
5901100

5901900
5904100
5904910
5904920
5906100
5906910
5906990
5907001
5907002
5907009
6001101
6001102
6001103
6001104
6001109
6001210
6001220
6001291
6001299
6001910
6001920
6001991
6001999
6116100
6117809
6117900
6301100
6306111
6306112
6306121
6306122
6306191
6306192
6306210
6306220
6306290
6306310
6306390
6306410
6306490
6306911
6306919
6306991
6306999
6307900
6308000
6402110
6403110

6406200
6406910
6406991
6406992
6406999
6501001
6501009
6502001
6503000
6504000
6505100
6505901
6505902
6505903
6505909
6506100
6506910
6506920
6506990
6601100
6601911
6601919
6601991
6601999
6602000
6701001
6701009
6702100
6702900
6703000
6704110
6704190
6704200
6704900
6801000
6802101
6802102
6802220
6802230
6802290
6802920
6802930
6802990
6803000
6804221
6804222
6804223
6804224

6804225
6804229
6804230
6805100
6805200
6805300
6808000
6809110
6809190
6809900
6810190
6810910
6810990
6811100
6811200
6811300
6811900
6813100
6813900
6901001
6901002
6901003
6901009
6902209
6902909
6903209
6905109
6905901
6905909
6907100
6907901
6908101
6908102
6908108
6908109
6909900
6914101
6914109
6914901
6914909
7001000
7004900
7005100
7005301
7005309
7006000
7007111
7007119

7007190
7007211
7007219
7007290
7008000
7009100
7009910
7009920
7010909
7015901
7015909
7016100
7016901
7016909
7018100
7018200
7018901
7018909
7117110
7117191
7117192
7117193
7117199
7117900
7204100
7204210
7204290
7204300
7204410
7204490
7204500
7206100
7208310
7208330
7208340
7208350
7208430
7208440
7208450
7208900
7210311
7210411
7212211
7212301
7213201
7213310
7213410
7214301

7214401
7214402
7214403
7214501
7214502
7214503
7216601
7217111
7217112
7217119
7217122
7217131
7217132
7217191
7217192
7217211
7217212
7217221
7217222
7217231
7217232
7217291
7217292
7217311
7217312
7217321
7217322
7217331
7217332
7217391
7217392
7301100
7304100
7304310
7304931
7304399
7305120
7305310
7305390
7305900
7306100
7306200
7306400
7306500
7308100
7309000
7310100
7310210

7310290
7313000
7314110
7314420
7314490
7317004
7317009
7318110
7318130
7318140
7318151
7318153
7318154
7318169
7318190
7318210
7318220
7318240
7318290
7320209
7320900
7321130
7321821
7321830
7321902
7321903
7321909
7322900
7323100
7323910
7323920
7323939
7323941
7323949
7323990
7324100
7324211
7324219
7324291
7324299
7324901
7324902
7324909
7326200
7326904
7404000
7407210
7410110

7410120
7411101
7411210
7411220
7411290
7413000
7415100
7415210
7415290
7415310
7415320
7415390
7417001
7418100
7418200
7419999
7503000
7602000
7606111
7606911
7607191
7607199
7607201
7607209
7608201
7608209
7611000
7612900
7614100
7615200
7616100
7616901
7616909
7802000
7803003
7805001
7805002
7806002
7902000
7907909
8002000
8006002
8101910
8104190
8105100
8109100
8109900
8112110

8112300
8113000
8201100
8201200
8201300
8201400
8201900
8202310
8202320
8202990
8205100
8205200
8205300
8205510
8205590
8205600
8205700
8205800
8206000
8207200
8207300
8207400
8207500
8207600
8207700
8207800
8207900
8208200
8208400
8208909
8212901
8213000
8214101
8214102
8214200
8214901
8214909
8301600
8301709
8302200
8302300
8302490
8304000
8305200
8306100
8306210
8306290
8306300

8307900
8308100
8308200
8308901
8308902
8308909
8309100
8309901
8309902
8309909
8310000
8311200
8311300
8401100
8401300
8401400
8402190
8402200
8404900
8407310
8407320
8407330
8407340
8408200
8408909
8409910
8409990
8413110
8413200
8413910
8413920
8414510
8414600
8415819
8415831
8415839
8415900
8416100
8416900
8417200
8417900
8418290
8418694
8418695
8418699
8418991
8418992
8418993

8418994
8418995
8418999
8419110
8419190
8419819
8421991
8421992
8421999
8422900
8423100
8423900
8424890
8424900
8425490
8426910
8427900
8428320
8428500
8431310
8431390
8432909
8433200
8433300
8433510
8436290
8436800
8436910
8436990
8438100
8438900
8439910
8439990
8440900
8441900
8448200
8448510
8448590
8449000
8450901
8450902
8451900
8452100
8452900
8462290
8462910
8465990
8468900

8474900
8476110
8476190
8476900
8479820
8479900
8480200
8481901
8481902
8481909
8483100
8483200
8483300
8483400
8483500
8483600
8483900
8484100
8484909
8502301
8502302
8503000
8504402
8504403
8504409
8506200
8512209
8512900
8513109
8514100
8514900
8515310
8516101
8516210
8516602
8516609
8516710
8516901
8516902
8516909
8517101
8517301
8517302
8517309
8517810
8517901
8517909
8518100

8518219
8518220
8518291
8518299
8518500
8518900
8519100
8519210
8519910
8519990
8520310
8520390
8520900
8522900
8523902
8523903
8523909
8524905
8524906
8524907
8524909
8525101
8525102
8525300
8527110
8527190
8527210
8527290
8527313
8527314
8527323
8527329
8527391
8527392
8527393
8527394
8527399
8527900
8529109
8529902
8529903
8529905
8529909
8531200
8531800
8531900
8534000
8535100

8535300
8535901
8535909
8536100
8536209
8536499
8536502
8536619
8536699
8536903
8538100
8538900
8539100
8539291
8539299
8539399
8539900
8540490
8541900
8543100
8544111
8544119
8544190
8544301
8544309
8544591
8544592
8544601
8544602
8544700
8546100
8546900
8547200
8547900
8548000
8605000
8606990
8607120
8702900
8703100
8703211
8703213
8703219
8703221
8703223
8703224
8703229
8703231

8703232
8703239
8703241
8703242
8703249
8703311
8703312
8703319
8703321
8703329
8703331
8703332
8703339
8703901
8703902
8703909
8704101
8704109
8704211
8704221
8704229
8704319
8704321
8704329
8704900
8705100
8705200
8705300
8705400
8705901
8705909
5706001
5706009
8707100
8707900
8708100
8708210
8708290
8708390
8708400
8708500
8708600
8708700
8708930
8708940
8708991
8708999
8709190

8709900
8710000
8711301
8711309
8711401
8711409
8711500
8711900
8714199
8714930
8714940
8714960
8714999
8715002
8716900
8802111
8802119
8802121
8802129
8802201
8802209
8802301
8802309
8802401
8802409
8802500
8804000
8805100
8805200
8903100
8903910
8903920
8903990
8906001
8907100
8907900
9001300
9001400
9001500
9001900
9004101
9004901
9004904
9017201
9017801
9025111
9025201
9025801

9028201
9028309
9032891
9032892
9101111
9101112
9101121
9101122
9101191
9101192
9101211
9101212
9101291
9101292
9101911
9101912
9101991
9101992
9103101
9103109
9103901
9103909
9104000
9105111
9105119
9105191
9105199
9105211
9105219
9105291
9105299
9105911
9105919
9105991
9105999
9106100
9106200
9106900
9111101
9111102
9111200
9111800
9111901
9111902
9111909
9112100
9112801
9112809

9112901
9112909
9113100
9113200
9113901
9113909
9301000
9302000
9303100
9303200
9303300
9303900
9304000
9305100
9305210
9305290
9305901
9305909
9306100
9306210
9306290
9306301
9306309
9306901
9306909
9307000
9401100
9401801
9401901
9401902
9401909
9402109
9402901
9403901
9403902
9403909
9405101
9405102
9405103
9405104
9405109
9405201
9405202
9405203
9405204
9405209
9405300
9405401

9405402
9405403
9405404
9405405
9405409
9405509
9405600
9405911
9405919
9405920
9405991
9405999
9406000
9501000
9502999
9503100
9503200
9503300
9504100
9504200
9504300
9504401
9504409
9504900
9505100
9505900
9506210
9601101
9601109
9601901
9601902
9601903
9601909
9602001
9602002
9602009
9603100
9603210
9603290
9603300
9603400
9604000
9605000
9606101
9606102
9606210
9606220
9606290

9607110
9607190
9607209
9608101
9608201
9608203
9608206
9608209
9608311
8608319
9608391
9608401
9608501
9608911
9608919
9608999
9609901
9609909
9610000
9611000
9612200
9613100
9613201
9613209
9613301
9613309
9613801
9613809
9613901
9613909
9614100
9614201
9614209
9614900
9615110
9615190
9615901
9615902
9615909
9616100
9616200
9617000
9618000
9701100
9701900
9702000
9703000
9704000

9705000
9706000

ANNEX 5

CN Code
0509009
1212200
1517900
1518000
2008110
2103200
2103302
2103900
2104100
2104200
2202100
2202900
2207101
2207109
2207201
2207209
2208100
2208901
2208902
2208909
2515121
2515129
2522200
2522300
2523100
2523210
2523290
2523900
2620500
2620900
2710007
2806100
2807000
2809200
2825901
2834219
3005100
3005900
3006100
3006600

3215110
3303001
3303002
3303003
3303004
3304100
3304200
3304300
3304910
3304990
3305100
3305200
3305300
3305901
3305909
3306100
3306900
3307101
3307109
3307200
3307300
3307410
3307490
3307900
3401119
3401191
3401192
3401200
3402110
3402199
3402200
3402900
3405100
3506100
3606100
3606909
3808101
3808109
3808201
3808209
3808401
3808409
3808901
3808909
3813000
3819000
3920100
3920300

3920410
3923212
3923292
4008110
4008190
4008210
4008290
4009101
4009109
4011009
4011201
4011400
4011500
4011910
4011991
4011992
4011993
4011994
4011995
4011999
4012101
4012109
4012201
4012209
4012900
4013101
4013109
4013200
4013901
4013909
4016910
4016920
4016930
4016992
4016993
4202110
4202120
4202190
4202210
4202220
4202290
4202310
4202320
4202390
4202911
4202919
4202921
4202929

4202991
4202999
4203101
4203102
4203109
4203210
4203291
4203299
4203301
4203309
4203400
4205009
4407100
4407210
4407220
4407230
4407910
4407920
4407990
4408101
4408109
4408201
4408209
4408901
4408909
4410100
4410900
4411110
4411190
4411210
4411290
4411310
4411390
4411910
4411990
4419000
4802100
4802510
4802521
4802529
4802530
4802600
4803001
4803009
4804210
4804290
4804310
4804390

4804410
4804420
4804490
4804510
4804520
4804590
4805210
4805600
4805700
4805800
4808100
4809100
4809200
4809900
4810910
4810999
4811210
4811290
4811909
4816100
4816200
4816300
4816900
4817100
4817200
4817300
4818100
4818200
4818300
4818401
4818402
4818409
4818900
4819100
4819201
4819209
4819300
4819400
4819500
4819600
4820100
4820200
4820300
4820400
4820501
4820509
4820900
4821100

4821900
4822901
4822909
4823110
4823190
4823519
4823590
4823600
4823700
4823909
4901911
4901912
4901991
4901992
5208110
5208120
5208130
5208190
5208210
5208220
5208230
5208290
5208310
5208320
5208330
5208390
5208410
5208420
5208430
5208490
5208510
5208520
5208530
5208590
5209110
5209120
5209190
5209210
5209220
5209290
5209310
5209320
5209390
5209410
5209420
5209430
5209490
5209510

5209520
5209590
5210110
5210120
5210190
5210210
5210220
5210290
5210310
5210320
5210390
5210410
5210420
5210490
5210510
5210520
5210590
5211110
5211120
5211190
5211210
5211220
5211290
5211310
5211320
5211390
5211410
5211420
5211430
5211490
5211510
5211520
5211590
5212110
5212120
5212130
5212140
5212150
5212210
5212220
5212230
5212240
5212250
5512110
5512190
5512210
5512290
5512910

5512990
5515110
5515120
5515130
5515190
5515210
5515220
5515290
5515910
5515920
5515990
5601100
5703100
5703200
5703300
5703900
6002100
6002200
6002300
6002410
6002420
6002430
6002491
6002499
6002910
6002920
6002930
6002991
6002999
6101100
6101200
6101300
6101901
6101909
6102100
6102200
6102300
6102901
6102909
6103110
6103120
6103191
6103199
6103210
6103220
6103230
6103291
6103299

6103310
6103320
6103330
6103391
6103399
6103410
6103420
6103430
6103491
6103499
6104110
6104120
6104130
6104191
6104199
6104210
6104220
6104230
6104291
6104299
6104310
6104320
6104330
6104391
6104399
6104410
6104420
6104430
6104440
6104491
6104499
6104510
6104520
6104530
6104591
6104599
6104610
6104620
6104630
6104691
6104699
6105100
6105200
6105901
6105909
6106100
6106200
6106901

6106909
6107110
6107120
6107191
6107199
6107210
6107220
6107291
6107299
6107910
6107920
6107991
6107992
6107999
6108110
6108191
6108199
6108210
6108220
6108291
6108299
6108310
6108320
6108391
6108399
6108910
6108920
6108991
6108999
6109100
6109901
6109902
6109909
6110100
6110200
6110300
6110901
6110909
6111100
6111200
6111300
6111901
6111909
6112110
6112120
6112191
6112199
6112200

6112310
6112391
6112399
6112410
6112491
6112499
6113000
6114100
6114200
6114300
6114901
6114909
6115110
6115120
6115191
6115199
6115201
6115202
6115209
6115910
6115929
6115939
6115991
6115999
6116910
6116920
6116930
6116991
6116999
6117101
6117102
6117103
6117109
6117201
6117202
6117203
6117209
6201110
6201120
6201130
6201191
6201199
6201910
6201920
6201930
6201991
6201999
6202110

6202120
6202130
6202191
6202199
6202910
6202920
6202930
6202991
6202999
6203110
6203120
6203191
6203199
6203210
6203220
6203230
6203291
6203299
6203310
6203320
6203330
6203391
6203399
6203410
6203420
6203430
6203491
6203499
6204110
6204120
6204130
6204191
6204199
6204210
6204220
6204230
6204291
6204299
6204310
6204320
6204330
6204391
6204399
6204410
6204420
6204430
6204440
6204491

6204499
6204510
6204520
6204530
6204591
6204599
6204610
6204620
6204630
6204691
6204699
6205100
6205200
6205300
6205901
6205909
6206100
6206200
6206300
6206400
6206900
6207110
6207191
6207199
6207210
6207220
6207291
6207299
6207910
6207920
6207991
6207999
6208110
6208191
6208199
6208210
6208220
6208291
6208299
6208910
6208920
6208991
6208999
6209100
6209200
6209300
6209901
6209909

6210100
6210200
6210300
6210400
6210500
6211111
6211112
6211119
6211121
6211122
6211129
6211200
6211311
6211319
6211321
6211329
6211331
6211339
6211391
6211392
6211399
6211411
6211419
6211421
6211429
6211431
6211439
6211491
6211492
6211499
6212101
6212109
6212201
6212209
6212301
6212309
6212901
6212909
6213100
6213200
6213900
6214100
6214200
6214300
6214400
6214900
6215100
6215200

6215900
6216001
6216009
6301200
6301300
6301400
6301900
6302100
6302210
6302220
6302290
6302310
6302320
6302390
6302400
6302510
6302520
6302530
6302590
6302601
6302602
6302910
6302920
6302930
6302990
6303110
6303120
6303190
6303910
6303920
6303990
6304110
6304190
6304910
6304920
6304930
6304990
6305100
6305200
6305310
6305390
6305900
6310101
6310109
6310901
6310909
6401100
6401910

6401920
6401990
6402190
6402200
6402300
6402910
6402990
6403190
6403200
6403300
6403400
6403510
6403590
6403910
6403990
6404110
6404191
6404199
6404201
6464209
6405100
6405200
6405900
6406101
6406109
6802210
6802910
6907902
6907909
6908901
6908902
6908908
6908909
6910100
6910900
6911101
6911109
6911901
6911909
6912001
6912002
6912003
6912009
6913100
6913901
6913909
7010100
7012000

7013100
7013210
7013291
7013292
7013299
7013310
7013320
7013391
7013399
7013910
7013991
7013992
7013999
7020001
7020009
7101101
7101102
7101210
7101220
7102100
7102210
7102290
7102310
7102390
7103101
7103109
7103911
7103919
7103991
7103999
7104109
7104209
7104909
7105100
7105900
7106100
7106910
7106921
7106922
7106929
7107001
7107002
7108110
7108121
7108129
7108131
7108139
7108200

7109000
7110110
7110191
7110192
7110199
7110210
7110291
7110299
7110310
7110391
7110399
7110410
7110491
7110499
7111000
7112100
7112200
7112900
7113111
7113112
7113113
7113114
7113119
7113191
7113192
7113193
7113194
7113195
7113196
7113197
7113198
7113199
7113201
7113202
7113203
7113209
7114111
7114119
7114191
7114192
7114193
7114199
7114201
7114209
7115100
7115901
7115902
7115903

7115909
7116101
7116109
7116201
7116209
7118101
7118109
7118901
7118902
7118909
7207110
7207120
7207190
7207200
7213100
7214200
7216211
7216219
7306300
7306600
7306900
7307110
7307190
7307910
7307920
7308200
7308300
7308400
7308901
7308909
7311000
7312100
7314190
7314200
7314300
7314410
7314500
7315820
7316000
7317001
7317003
7318120
7318159
7318231

7318232
7318239
7320101

7320109
7320201
7321111
7321119
7321120
7321810
7321829
7322110
7322190
7323931
7325100
7325910
7325990
7326110
7326905
7326909
7409111
7409191
7409211
7409291
7411109
7412200
7419994
7604103
7604210
7604293
7608100
7610100
7610900
7612100
7615100
7616906
8202100
8202200
8202910
8203100
8203200
8204110
8204120
8205400
8205900
8208100
8211100
8211911
8211912
8211919
8211921
9211929

8211931
8211932
8211939
8212101
8215100
8215200
8215910
8215990
8301100
8301200
8301300
8301400
8302100
8302410
8302420
8302500
8303000
8311100
8403101
8403109
8408100
8408901
8413301
8413302
8413309
8413702
8413709
8413811
8413812
8413819
8415100
8415811
8415820
8418100
8418210
8418220
8418300
8418400
8418500
8418610
8418691
8418692
8418693
8418910
8419811
8421230
8421310
8422400

8423810
8423820
8424100
8424811
8424819
8425421
8425429
8426110
8428100
8432100
8432210
8432290
8432401
8432409
8433400
8436210
8450110
8450120
8450190
8452400
8462390
8465100
8465910
8465920
8465950
8474311
8481102
8481809
8484901
8501201
8501209
8501400
8501519
8501521
8501529
8502110
8502120
8502130
8504100
8504210
8504220
8504319
8504320
8504330
8504340
8504401
8506110
8506120

8506130
8506190
8507100
8507200
8507903
8515390
8516102
8516290
8516601
8517109
8528100
8528200
8529101
8529102
8529901
8529904
8531100
8536201
8536300
8536491
8536501
8536509
8536611
8536691
8536901
8536902
8537100
8537200
8539221
8544112
8544201
8544209
8544410
8544491
8544499
8544511
8544519
8544593
8544599
8544603
8544609
8607110
8609001
8609009
8701200
8702100
8704212
8704219

8704230
8704311
8708310
8708800
8708910
8708920
8708992
8708993
8711101
8711109
8711201
8711209
8712001
8712009
8714110
8714191
8714192
8714193
8714194
8714195
8714200
8714910
8714920
8714950
8714991
8714992
8715001
8716100
8716200
8716310
8716390
8716400
8716800
9003110
9003191
9003199
9003900
9004109
9004902
9004909
9017101
9018310
9028202
9028301
9102110
9102120
9102190
9102210

9102290
9102910
9102990
9401200
9401300
9401400
9401500
9401610
9401690
9401710
9401790
9401809
9402101
9403100
9403201
9403202
9403209
9403300
9403400
9403500
9403600
9403700
9403800
9404100
9404210
9404290
9404300
9404900
9502100
9503410
9503490
9503500
9503600
9503700
9503800
9503900
9506620
9608102
9608109
9608202
9608399
9608509
9608991
9609100
9612100

ANNEX 6

CN Code

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);
- Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure (1977, amended in 1980);
- Patent Cooperation Treaty (1970, amended in 1979 and modified in 1984);
- 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).

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);
- Berne Convention for the Protection of Literary and Artistic Works in the Act of Paris of 24 July 1971.

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 is 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

>TABLE POSITION>

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

>TABLE POSITION>

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).

>TABLE POSITION>

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 Harmonised Commodity Description and Coding System, referred to in this Protocol as 'the Harmonised 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.

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 % 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) 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 that 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 conditions 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 Harmonised System.

Accordingly, it follows that:

(a) when a product composed of a group assembly of articles is classified under the terms of the Harmonised 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 Harmonised System, each product must be taken individually when applying the provisions of this Protocol.

2. Where, under general rule 5 of the Harmonised 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 Harmonised 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 % 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 recognised 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 product 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 organised 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 an EUR.1 movement certificate, a specimen of which appears in Annex III to this Protocol.

Article 18 Normal procedure for the issue of an EUR.1 movement certificate

1. An EUR.1 movement certificate 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 authorised representative.

2. For this purpose, the exporter or his authorised representative shall fill out both the EUR.1 movement certificate 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 an EUR.1 movement certificate shall be prepared to submit at any time, at the request of the customs authorities of the exporting country where the EUR.1 movement certificate 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 EUR.1 movement certificate 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 EUR.1 movement certificate 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 EUR.1 movement certificates 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 EUR.1 movement certificate are in the Community or in Tunisia.

In these cases EUR.1 movement certificates 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 EUR.1 movement certificate shall be indicated in the part of the certificate reserved for the customs authorities.

8. An EUR.1 movement certificate 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 EUR.1 movement certificates issued retrospectively

1. Notwithstanding Article 18(8), an EUR.1 movement certificate 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 an EUR.1 movement certificate 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 EUR.1 movement certificate relates, and state the reasons for his request.

3. The customs authorities may issue an EUR.1 movement certificate retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

4. EUR.1 movement certificate 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', 'ÁËÄÏËÁÍ ÁË ÔÙÍ ÓÓÓÃÑÙÍ', 'EXPEDIDO A POSTERIORI', 'EMITADO A POSTERIORI', 'ANNETTU JÄLKIKÄTEEN', 'UTFÄRDAT I EFTERHAND', '>REFERENCE TO A GRAPHIC<

5. The endorsement referred to in paragraph 4 shall be inserted in the 'Remarks' box of the EUR.1 movement certificate.

Article 20 Issue of a duplicate EUR.1 movement certificate

1. In the event of theft, loss or destruction of an EUR.1 movement certificate, 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', 'ÁÍÓÉÃÑÁÖÏ', 'DUPLICADO', 'SEGUNDA VIA', 'KAKSOISKAPPALE', '>REFERENCE TO A GRAPHIC<

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 EUR.1 movement certificate.

4. The duplicate, which must bear the date of issue of the original EUR.1 movement certificate, 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 EUR.1 movement certificates 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 EUR.1 movement certificate 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 EUR.1 movement certificate 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 EUR.1 movement certificate 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 EUR.1 movement certificates 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 authorisation referred to in paragraph 2 shall stipulate, at the choice of the competent authorities, that box No 11 'Customs endorsement' of the EUR.1 movement certificate 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) 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 EUR.1 movement certificate:

'PROCEDIMIENTO SIMPLIFICADO', 'FORENKLET PROCEDURE', 'VEREINFACHTES VERFAHREN', 'Á_ËÏÖÓÔÂÕÌÁÍÇ ÄÉÁÄÉÉÁÓÉÁ', 'SIMPLIFIED PROCEDURE', 'PROCEDURE SEMPLIFICATA', 'VEREENVOUDIGDE PROCEDURE', 'PROCEDIMENTO SIMPLIFICADO', 'YKSINKERTAISTETTU MENETTELY', 'FÖRENKLAT FÖRFARANDE', '>REFERENCE TO A GRAPHIC<

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 authorisation 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 authorisation referred to in paragraph 2 to exporters who do not offer all the guarantees which they consider necessary. The competent authorities may withdraw the authorisation 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 an EUR.1 movement certificate

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 EUR.1 movement certificate 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. EUR.1 movement certificate 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. EUR.1 movement certificate 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 EUR.1 movement certificates where the products have been submitted to them before the said final date.

Article 25 Submission of proof of origin

EUR.1 movement certificates 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 an EUR.1 movement certificate 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 Harmonised System falling within Chapters 84 and 85 of the Harmonised 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 exporter's responsibility, by his authorised representative in accordance with this Protocol.
3. An invoice declaration shall be completed for each consignment.
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 29 Preservation of proof of origin and supporting documents

1. The exporter applying for the issue of an EUR.1 movement certificate 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 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 an EUR.1 movement certificate 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 EUR.1 movement certificate submitted to them.

Article 30 Discrepancies and formal errors

1. The discovery of slight discrepancies between the statements made in an EUR.1 movement certificate, 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 EUR.1 movement certificate, 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 an EUR.1 movement certificate, 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.

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 EUR.1 movement certificates and for verifying those certificates and invoice declarations.

Article 33 Verification of EUR.1 movement certificates, invoice declaration and information certificate

1. Subsequent verification of EUR.1 movement certificates and invoice declarations 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 EUR.1 movement certificate, 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 an EUR.1 movement certificate, 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 obtained 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 authorised representative shall enter 'Tunisia' and 'Ceuta and Melilla' in box 2 of EUR.1 movement certificates. In addition, in the case of products originating in Ceuta and Melilla, this shall be indicated in box 4 of EUR.1 movement certificates.
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 other of measures taken to this affect.

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 an EUR.1 certificate 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 Harmonised 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 Harmonised 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 'textiule 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.

For 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, ex 2901, ex 2902 and ex 3403, the 'specific processes' are the following:

- (a) vacuum distillation;
- (b) redistillation by a very thorough fractionation process (1);
- (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; neutralisation with alkaline agents; decolorisation and purification with naturally active earth, activated earth, activated charcoal or bauxite;
- (g) polymerisation;
- (h) alkylation;
- (i) isomerisation.

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; neutralisation with alkaline agents; decolorisation and purification with naturally active earth, activated earth, activated charcoal or bauxite;
- (g) polymerisation;
- (h) alkylation;
- (ij) isomerisation;
- (k) (in respect of heavy oils falling within heading No ex 2710 only) desulphurisation with hydrogen resulting in a reduction of at least 85 % of the sulphur content of the products processed (ASTM D 1 266-59 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 desulphurisation, 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 decolorisation) 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.

(1) See Additional Explanatory Note 4(b) to Chapter 27 of the Combined Nomenclature.

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

>TABLE POSITION>

ANNEX III

EUR.1 MOVEMENT CERTIFICATES

1. EUR.1 movement certificates 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 _ 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/m_. 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.

>REFERENCE TO A GRAPHIC>

>REFERENCE TO A GRAPHIC>

>REFERENCE TO A GRAPHIC>

>REFERENCE TO A GRAPHIC>

ANNEX IV

DECLARATION REFERRED TO IN ARTICLE 27

>START OF GRAPHIC>

>END OF GRAPHIC<

ANNEX V

Specimen impression of the stamp mentioned in Article 22(3)(b)

>REFERENCE TO A GRAPHIC<

>START OF GRAPHIC<

>END OF GRAPHIC<

ANNEX VI

SPECIMEN OF DECLARATION

>START OF GRAPHIC<

>END OF GRAPHIC<

ANNEX VII

>REFERENCE TO A GRAPHIC<

>REFERENCE TO A GRAPHIC<

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 purpose 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 contravention of such legislation and which may be of interest to the other Contracting Parties,
- new means or methods employed in realising such operations,
- goods known to be involved in operations contracting 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 authorised 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 computerised 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 authorised to appear, within the limitations of the authorisation 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 authorised 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 unauthorised 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 computerised 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 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:

>TABLE POSITION>

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.

Hecho en Bruselas, el diecisiete de julio de mil novecientos noventa y cinco.

Udfærdiget i Bruxelles den syttende juli nitten hundrede og fem og halvfems.

Geschehen zu Brüssel am siebzehnten Juli neunzehnhundertfünfundneunzig.

„āéíá óôéò Āñōī_ēēāò, óôéò ä_éá åöÜ Ēīōēßīō ÷βēéá áííéáēüóéá áíáí_íóá __íóâ.

Done at Brussels on the seventeenth day of July in the year one thousand nine hundred and ninety-five.

Fait à Bruxelles, le dix-sept juillet mil neuf cent quatre-vingt-quinze.

Fatto a Bruxelles, addì diciassette luglio millenovecentonovantacinque.

Gedaan te Brussel, de zeventiende juli negentienhonderd vijffennegentig.

Feito em Bruxelas, em dezassete de Julho de mil novecentos e noventa e cinco.

Tehty Brysselissä seitsemäntenätoista päivänä heinäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäviisi.

Som skedde i Bryssel den sjuttonde juli nittonhundranittiofem.

>REFERENCE TO A GRAPHIC<

Pour le Royaume de Belgique

Voor het Koninkrijk België

Für das Königreich Belgien

>REFERENCE TO A GRAPHIC<

Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brusselse Hoofdstedelijke Gewest.

Diese Unterschrift verbindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

På Kongeriget Danmarks vegne

>REFERENCE TO A GRAPHIC<

Für die Bundesrepublik Deutschland

>REFERENCE TO A GRAPHIC<

Ãéá ôçí Åëëçíéê_ Äçïïñãóâðá

>REFERENCE TO A GRAPHIC<

Por el Reino de España

>REFERENCE TO A GRAPHIC<

Pour la République française

>REFERENCE TO A GRAPHIC<

Thar ceann na hÉireann

For Ireland

>REFERENCE TO A GRAPHIC<

Per la Repubblica italiana

>REFERENCE TO A GRAPHIC<

Pour le Grand-Duché de Luxembourg

>REFERENCE TO A GRAPHIC<

Voor het Koninkrijk der Nederlanden

>REFERENCE TO A GRAPHIC<

Für die Republik Österreich

>REFERENCE TO A GRAPHIC<

Pela República Portuguesa

>REFERENCE TO A GRAPHIC<

Suomen tasavallan puolesta

>REFERENCE TO A GRAPHIC<

För Konungariket Sverige

>REFERENCE TO A GRAPHIC<

For the United Kingdom of Great Britain and Northern Ireland

>REFERENCE TO A GRAPHIC<

Por las Comunidades Europeas

For De Europæiske Fællesskaber

Für die Europäischen Gemeinschaften

Ãéá ôéò Åõñù_áúê_ò Êïéíüôçôâð

For the European Communities

Pour les Communautés européennes

Per le Comunità europee

Voor de Europese Gemeenschappen

Pelas Comunidades Europeias

Euroopan yhteisöjen puolesta

På Europeiska gemenskapernas vägnar

>REFERENCE TO A GRAPHIC<

>REFERENCE TO A GRAPHIC<

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 decentralised 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 modernise 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 liberalisation 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 authorised 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 1996.

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 a 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.