



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12.06.1998
COM(1998) 365 final

98/0207 (ACC)

Proposal for a Council Decision

on the conclusion of the Additional Protocol to the Interim Agreement on trade and trade-related matters between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part, and to the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Slovenia, of the other part

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. The European Community concluded an Association Agreement (Europe Agreement) with Slovenia, which was signed on 10 June 1996. Pending its entry into force upon ratification by all Parties concerned, provisions of the Europe Agreement on trade and trade-related matters were implemented by an Interim Agreement, which was signed on 11 November 1996 and entered into force on 1 January 1997.
2. Negotiations for the conclusion of a Europe Agreement with Slovenia aimed, in the agricultural field, at consolidating the preferential situation for agricultural products enjoyed by Slovenia within the framework of the Co-operation Agreement with Slovenia, as long as traditional trade flows occurred.
3. Under Annex VI to the Europe Agreement and, pending its entry into force, to the Interim Agreement, which lists the preferential treatment granted to agricultural products originating in Slovenia, Slovenia was granted a concession for the specific product of ajvar. However, due to a technical mistake, only the frozen produce was included in the concession, despite the fact that mainly non-frozen produce was traditionally exported to the Community.
4. With a view to reflecting the preferential treatment previously enjoyed by Slovenia under the Co-operation Agreement with Slovenia for both frozen and non-frozen ajvar and taking into account the fact that ajvar is a specific product and is not produced in the Community, the Additional Protocol to which this proposal refers foresees taking the necessary steps to grant Slovenia preferential treatment also for non-frozen ajvar.
The Additional Protocol proposed appears to be the most efficient means of implementing this provision by modifying the Interim Agreement, currently in force, and the Europe Agreement, subsequently at such time as it enters into force.
5. The purpose of this proposal is to ask the Council to adopt the proposed provision as set out in the Additional Protocol .

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on the conclusion of the Additional Protocol to the Interim Agreement on trade and trade-related matters between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part, and to the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Slovenia, of the other part

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 in conjunction with Article 228 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the Commission has negotiated on behalf of the Communities an Additional Protocol to the Interim Agreement on trade and trade-related matters and to the Europe Agreement with the Republic of Slovenia;

Whereas it is necessary to approve this Additional Protocol,

HAS DECIDED AS FOLLOWS:

Article 1

The Additional Protocol to the Interim Agreement on trade and trade-related matters between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part, and to the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Slovenia, of the other part, is hereby approved on behalf of the European Communities.

The text of the Additional Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Additional Protocol on behalf of the European Communities.

The President of the Council shall, on behalf of the Community, give the notification provided for in Article 3 of the Protocol.

Done at Brussels,

For the Council

ADDITIONAL PROTOCOL

to the Interim Agreement on trade and trade-related matters between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part and to the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Slovenia, of the other part

THE EUROPEAN COMMUNITY, hereinafter referred to as "the Community",

THE REPUBLIC OF SLOVENIA, hereinafter referred to as "Slovenia",

Whereas the Europe Agreement establishing an association between the European Communities and their Member States, acting within the framework of the European Union, of the one part, and the Republic of Slovenia, of the other part, was signed in Luxembourg on 10 June 1996, and has not yet entered into force;

Whereas, pending the entry into force of the Europe Agreement, provisions thereof on trade and trade - related matters have been put into force since 1 January 1997 by the Interim Agreement on trade and trade-related matters between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part, (hereinafter called "the Interim Agreement"), signed in Brussels on 11 November 1996;

Whereas the Europe Agreement and, pending its entry into force, the Interim Agreement provides in its Annex VI for preferential treatment for imports into the Community, of an unlimited volume of frozen Ajvar produce originating in Slovenia;

Whereas the preferential treatment traditionally enjoyed by Slovenia for frozen and non-frozen Ajvar under the Co-operation Agreement with Slovenia should be taken into account; whereas Ajvar is a specific product and is not produced in the Community;

Whereas for these reasons, the Europe Agreement and, pending its entry into force, the Interim Agreement, should grant to imports of non frozen Ajvar the same preferential treatment as granted to frozen Ajvar,

HAVE DECIDED to conclude this Protocol and to this end have designated as their plenipotentiaries :

THE EUROPEAN COMMUNITY :

THE REPUBLIC OF SLOVENIA

WHO, having exchanged their full powers, found in good and due form

HAVE AGREED AS FOLLOWS :

Article 1

From the date of entry into force of this Additional Protocol, the Europe Agreement, and, pending its entry into force, the Interim Agreement are amended by the inclusion of the following concession in their Annex VI :

CN code	Tariff sub-division	Description	Rate of duty	Volume
ex 2005 90 70	20	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading No 2006: - Other vegetables and mixtures of vegetables: -- Mixtures of vegetables, the product known as "Ajvar", obtained from sweet peppers, to which spices, extracts of spices or distillates of natural spices, and sometimes aubergines and tomatoes, are added, containing at least 9 % of dry extracts, used mainly as a salad	free	unlimited

Article 2

This Protocol shall form an integral part of the Interim Agreement and of the Europe Agreement.

Article 3

This Protocol shall enter into force following notification of approval procedures.

Article 4

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Slovenian languages, each of these texts being equally authentic.

FINANCIAL STATEMENT

1. BUDGET HEADING: Chapter 10 - Agricultural duties		APPROPRIATIONS: ECU 623.8m		
2. TITLE: Proposal for a Council Decision of ... on the conclusion of the Additional Protocol to the Interim Agreement on trade and trade-related matters between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part, and to the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Slovenia, of the other part				
3. LEGAL BASIS: Article 113 of the Treaty				
4. AIMS OF PROJECT: To grant Slovenia an import concession for fresh ajvar				
5.	FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS million ecu	CURRENT FINANCIAL YEAR(98) million ecu	FOLLOWING FINANCIAL YEAR(99) million ecu
5.0.	EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION) - NATIONAL ADMINISTRATION - OTHER			
5.1.	REVENUE - OWN RESOURCES OF THE EC (LEVIIES/CUSTOMS DUTIES) - NATIONAL	- 0.04	- 0.04	- 0.04
		1997	1998	1999
5.0.1.	ESTIMATED EXPENDITURE			2000
5.1.1.	ESTIMATED REVENUE	- 0.04	- 0.04	- 0.04
5.2.	METHOD OF CALCULATION: Potential loss of own resources calculated from the quantities imported from Slovenia by the Community in 1997, i.e. 289 tonnes. $289 \text{ tonnes} \times (\text{ECU } 651/\text{tonne} \times 19.8\% \text{ ad valorem}) = \text{ECU } 37.251$			
6.0.	CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET?			YES/NO
6.1.	CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET?			YES/NO
6.2.	IS A SUPPLEMENTARY BUDGET NECESSARY?			YES/NO
6.3.	WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY?			YES/NO
OBSERVATIONS:				

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DOCUMENTS

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