



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10.12.1998
COM(1998) 729 final

98/0337 (ACC)

Proposal for a

COUNCIL REGULATION (EC)

amending Regulation (EC) No 70/97 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia and Herzegovina and Croatia and to imports of wine originating in the former Yugoslav Republic of Macedonia and the Republic of Slovenia

(presented by the Commission)

EXPLANATORY MEMORANDUM

Council Regulation (EC) No 70/97 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia and Herzegovina and Croatia and to imports of wine originating in the former Yugoslav Republic of Macedonia and the Republic of Slovenia, expires on 31 December 1998.

Regulation (EC) No 70/97, as last amended by Regulation (EC) No 2636/97, contains the autonomous preferential measures applicable to imports into the Community of products originating in the Republics of Bosnia and Herzegovina and Croatia, countries formerly part of Yugoslavia with which no bilateral agreements have yet entered into force. Furthermore, as the agreement on 'wines and spirits' envisaged by the Europe Agreement between the European Community and the Republic of Slovenia and by the Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia have yet to be concluded, Regulation 70/97 also grants autonomous and transitional concessions for imports of wines originating in Slovenia and the former Yugoslav Republic of Macedonia.

Awaiting the eventual replacement of these arrangements by provisions contained in bilateral agreements, Regulation 70/97 should be maintained. The aim of the attached proposal for a Council Regulation (EC) amending Regulation 70/97 is:

- the extension of Regulation 70/97 to 1999 for products originating in the Republics of Bosnia and Herzegovina and Croatia and to imports of wine originating in the former Yugoslav Republic of Macedonia and the Republic of Slovenia,
- the technical adjustments necessary following the amendments to the combined nomenclature and to the Taric subdivisions,
- the annual increase by 5 % of the amounts of the tariff ceilings for industrial products.

The Commission recommends the attached proposal for a Council Regulation (EC) for adoption to the Council.

**Proposal for a
COUNCIL REGULATION (EC)**

amending Regulation (EC) No 70/97 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia and Herzegovina and Croatia and to imports of wine originating in the former Yugoslav Republic of Macedonia and the Republic of Slovenia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the Proposal from the Commission¹,

Whereas Council Regulation (EC) No 70/97 of 20 December 1996 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia and Herzegovina and Croatia and to imports of wine originating in the former Yugoslav Republic of Macedonia and the Republic of Slovenia², as last amended by Council Regulation (EC) No 2636/97³, expires on 31 December 1998;

Whereas these arrangements will eventually have to be replaced by provisions contained in bilateral agreements to be negotiated with the countries in question; whereas in the meantime the arrangements granted by Regulation (EC) No 70/97 should be maintained; whereas the amounts of the tariff ceilings for industrial products should be increased annually by 5 % as provided for in Article 4(1) of Regulation (EC) No 70/97; whereas following the amendments to the combined nomenclature and to the Taric subdivisions, Regulation (EC) No 70/97 should be amended accordingly;

Whereas Commission Regulation (EC) No 12/97 of 18 December 1996⁴, has amended Title IV, Chapter 2, of Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁵; Whereas Article 1 (3) of Regulation (EC) No 70/97 should therefore be amended accordingly;

Whereas in order to avoid damage to the Community industry for cucumbers, it is necessary to grant the concession for these products in the framework of a tariff quota instead of a reference quantity;

Whereas in accordance with the conclusions of the Council of 29 April 1997, the development of bilateral relations between the European Union and the successor republics of the former Yugoslavia, other than Slovenia, is subject to certain conditions; whereas the renewal of autonomous trade preferences is linked to respect for fundamental principles of democracy and human rights and to the readiness of the countries concerned to allow the development of economic relations between themselves; whereas it is, therefore, appropriate to monitor the compliance by Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia with these conditions;

Whereas there has been some progress in Bosnia and Herzegovina and Croatia in strengthening democracy and human rights and in developing relations with their neighbours; whereas it is therefore appropriate to continue the inclusion of these countries in the autonomous trade regime for 1999;

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2 OJ L 16, 18.1.1997, p. 1.

3 OJ L 356, 31.12.1997, p.16.

4 OJ L 9, 13.1.1997, p. 1.

5 OJ L 253, 11.10.1993, p. 1.

Whereas at the time of the extension of the autonomous trade preferences to the Federal Republic of Yugoslavia on 29 April 1997, the Council issued a declaration setting out its expectations in terms of democratisation, in particular the full and speedy implementation of the "Gonzalez" report; whereas it also noted that in the absence of progress towards meeting these criteria, the decision granting autonomous trade preferences would be reviewed; whereas no significant progress has been made with regard to the relevant conditions, it is not appropriate at this time to include the Federal Republic of Yugoslavia in the autonomous trade regime for 1999, without prejudice to the possibility of including the Federal Republic of Yugoslavia at a later stage should conditions so permit,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 70/97 is hereby amended as follows:

1. In Article 1 (3), 'section 3 of Commission Regulation (EEC) No 2454/93', shall be replaced by 'section 2 of Commission Regulation (EEC) No 2454/93'.
2. The second paragraph of Article 14 shall be replaced by the following:
'It shall apply from 1 January 1997 to 31 December 1999.'
3. The amounts given for the tariff ceilings listed in column 4 in Annexes C I, C II, C III and C IV shall be replaced for 1999 by the amounts given in the Annex to this Regulation.
4. The following amendments shall be made to the CN codes and the descriptions of products and footnotes:
 - (a) In Annex C I for order No 01.0050, the following shall be deleted:

	- Cellular:
3921 19	-- Of other plastics:
3921 19 90	--- Other

(b) In Annex C I for order No 01.0220,

(1)

8502 13 99	---- Of an output exceeding 750 kVA
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shall be replaced by:

8502 13 93	---- Of an output exceeding 750 kVA but not exceeding 2 000 kVA
8502 13 98	---- Of an output exceeding 2 000 kVA

(2)

8502 20 99	--- Of an output exceeding 7,5 kVA
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shall be replaced by:

8502 20 92	--- Of an output exceeding 7,5 kVA but not exceeding 375 kVA
8502 20 94	--- Of an output exceeding 375 kVA but not exceeding 750 kVA
8502 20 98	--- Of an output exceeding 750 kVA

(c) At the end of Annex C I, footnote (1), shall be replaced by the following:

'(1) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.'

(d) In Annex C II for order No 03.0010,

(1) CN code 2710 00 85 and its description, as well as footnote (1) at the end of the Annex, shall be deleted;

(2) CN code 2710 00 98 shall be replaced by CN code 2710 00 97.

5. In Annex C V, Taric subdivisions,

(a) the following shall be inserted:

06.0030	ex	7213 91 70	11
			15
			19
	ex	7213 99 90	11
			19
			10

(b) for order No 06.0070, the Taric subdivisions for ex 7213 91 70 shall be read '91 and 95', and the following shall be inserted:

ex	7213 91 90	10
ex	7213 99 90	91
ex	7214 91 90	90

6. In Annex D,

(a) the tariff concession in the framework of a reference quantity for cucumbers falling within CN code ex 2001 10 00, shall be deleted;

(b) in column 4, for the tariff concession for sauerkraut (mentioned twice), the following text shall be inserted after the words 'reference quantity': 'with order No 18.0550'.

7. In Annex E,

(a) the following shall be inserted:

09.1513	ex	2001 10 00	Cucumbers, prepared or preserved by vinegar or acetic acid, from 1 January to 31 December	2 000 tonnes	Free
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(b) at the end of this Annex,

(1) the Taric subdivision '40' for order No 09.1507, CN code ex 0703 20 00, shall be deleted;

(2) the following shall be inserted:

09.1513	ex	2001 10 00	11 19
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Article 2

This Regulation shall enter into force on the day following its publication in the Official Journal of the European Community.

It shall apply from 1 January 1999.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done in Brussels on

By the Council

The President

ANNEX

Order No	Ceiling (tonnes)
Annex C I	
01.0010	6 045
01.0020	53 083
01.0030	79 051
01.0040	1 861
01.0050	1 164
01.0060	5 273
01.0080	610
01.0090	168 647
01.0100	22 838
01.0110	756
01.0120	899
01.0130	374
01.0140	9 083
01.0150	2 812
01.0160	14 766
01.0167	5 101
01.0170	1 424
01.0190	1 412
01.0200	4 944
01.0220	6 123
01.0230	3 279
01.0240	3 928
01.0250	641
01.0270	1 214
01.0280	9 359
01.0290	8 351
Annex C II	
03.0010	1 058 400
Annex C III	
04.0030	4 680
04.0040	1 744
04.0050	1 338
04.0090	1 619
Annex C IV	
06.0010	41 525
06.0020	40 994
06.0030	39 724
06.0040	5 664
06.0050	7 964
06.0060	49 409
06.0070	39 579

FINANCIAL STATEMENT

1. **Budget heading involved** : Chapter 12, Article 120.

2. **Legal Basis** : Article 113 of the Treaty.

3. **Title of the measure** :

Proposal for a Council Regulation (EC) amending Council Regulation (EC) No 70/97 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia and Herzegovina and Croatia and to imports of wine originating in the former Yugoslav Republic of Macedonia and the Republic of Slovenia.

4. **Objective** :

The extension to 1999 of the autonomous preferential trade regime applicable to imports into the Community of products originating in the Republics of Bosnia and Herzegovina and Croatia and to imports of wine originating in the former Yugoslav Republic of Macedonia and the Republic of Slovenia.

5. **Financial repercussions** :

This Regulation does not entail any financial losses or gains, other than those foreseen for the application of the current arrangements under Regulation 70/97 of 20 December 1996.

6. **Fight against fraud** :

Provisions on the management of tariff quotas and tariff ceilings include the measures necessary for preventing and protecting against fraud and irregularities.

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DOCUMENTS

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