COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 6.11.2007
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2007/0231 (AVC)

Proposal for a

**COUNCIL DECISION**

**on the signing and provisional application of a Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union**

Proposal for a

**COUNCIL DECISION**

**on the conclusion of a Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union**

(presented by the Commission)

## EXPLANATORY MEMORANDUM

Under the terms of Article 6(2) of the Act of Accession of new Member States to the EU, the accession of the new EU Member States to the Euro-Mediterranean Association Agreement with the Hashemite Kingdom of Jordan is to be agreed by means of a protocol to this Agreement. The same article provides for a simplified procedure, whereby the protocol is to be concluded by the Council, acting unanimously on behalf of the Member States, and by the third country concerned. This procedure is without prejudice to the Community's own competences.

On 23 October 2006 the Council approved a mandate for the Commission to negotiate such a protocol with Jordan to take account of the accession of Bulgaria and Romania on 1 January 2007. During these negotiations it was concluded that no additional trade concessions in agriculture, processed agricultural and fishery products would be added to the existing Association Agreement.

The attached proposals are for (1) a Council Decision on the signature and provisional application of the Protocol and (2) a Council Decision on the conclusion of the Protocol.

The text of the protocol negotiated with Jordan is attached. The most important provision of the protocol concerns the accession of the new Member States to the EU-Jordan Association Agreement and the inclusion of the new official languages of the EU.

The Commission requests the Council to adopt the proposed Council Decisions for the signing and conclusion of the Protocol.

The European Parliament will be called upon to give its assent to the conclusion of this Protocol.

Proposal for a

# COUNCIL DECISION

## on the signing and provisional application of a Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 310, in conjunction with Article 300(2), first subparagraph, first sentence, thereof,

Having regard to the Act annexed to the Treaty of Accession of Bulgaria and Romania to the European Union, and in particular Article 6(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) On 23 October 2006 the Council authorised the Commission, on behalf of the European Community and its Member States, to negotiate with Jordan a protocol amending the agreements concluded between the European Community and third countries, in particular the Euro-Mediterranean Association Agreement between the European Communities and their Member States, of the one part, and Jordan, of the other part, to take account of the accession of the new Member States to the EU.

(2) These negotiations have since been completed to the satisfaction of the Commission.

(3) Article 8(2) of the Protocol negotiated with Jordan provides for the provisional application of the Protocol before its entry into force.

(4) Subject to its possible conclusion at a later date, the Protocol should be signed on behalf of the Community and applied provisionally,

HAS DECIDED AS FOLLOWS:

*Article 1*

The President of the Council is hereby authorised to designate the person(s) empowered to sign, on behalf of the European Community and its Member States, the Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union. The text of the Protocol is attached to this Decision.

*Article 2*

The Protocol shall be applied provisionally from 1 January 2007, subject to its possible conclusion at a later date.

Done at Brussels,

*For the Council*
*The President*

2007/0231 (AVC)

Proposal for a

# COUNCIL DECISION

## on the conclusion of a Protocol to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 310 in conjunction with the second sentence of the first subparagraph of Article 300(2) and the second subparagraph of Article 300(3) thereof,

Having regard to the Act annexed to the Treaty of Accession of Bulgaria and Romania to the European Union, and in particular Article 6(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament,

Whereas:

(1) The Protocol to the Euro-Mediterranean Association Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, was signed on behalf of the European Community and its Member States on […].

(2) The Protocol should be approved,

HAS DECIDED AS FOLLOWS:

*Sole Article*

The Protocol to the Euro-Mediterranean Association Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, is hereby approved on behalf of the European Community and its Member States to take account of the accession of the Republic of Bulgaria and Romania to the European Union.

The text of the Protocol is annexed to this Decision.

Done at Brussels,

*For the Council*
*The President*

**PROTOCOL**

to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

hereinafter referred to as "EC Member States" represented by the Council of the European Union, and

THE EUROPEAN COMMUNITY,

hereinafter referred to as "the Community" represented by the Council of the European Union and the European Commission

of the one part

and the Hashemite Kingdom of Jordan

hereinafter referred to as "Jordan"

of the other part

WHEREAS the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, hereinafter referred to as "the Euro-Mediterranean Agreement", was signed in Brussels on 24 November 1997 and entered into force on 1 May 2002;

WHEREAS the Treaty concerning the accession of the Republic of Bulgaria and Romania to the European Union and the Act thereto was signed in Luxemburg on 25 April 2005 and entered into force on 1 January 2007;

WHEREAS, pursuant to Article 6(2) of the Act of Accession, the accession of the new Contracting Parties to the Euro-Mediterranean Agreement must be agreed by the conclusion of a protocol to the Euro-Mediterranean Agreement;

WHEREAS consultations pursuant to Article 22 of the Euro-Mediterranean Agreement have taken place in order to ensure that account has been taken of the mutual interests of the Community and Jordan;

HAVE AGREED AS FOLLOWS:

*Article 1*

The Republic of Bulgaria and Romania hereby become Contracting Parties to the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, and shall, in the same manner as the other EC Member States, respectively adopt and take note of the texts of the Agreement, the Joint Declarations, Declarations and Exchanges of Letters.

CHAPTER ONE: AMENDMENTS TO THE TEXT OF THE EURO-MEDITERRANEAN AGREEMENT, INCLUDING ITS ANNEXES AND PROTOCOLS

*Article 2 (Rules of Origin)*

Protocol 3 shall be amended as follows:

1. In Articles 3(1) and 4(1), the references to the new Member States are deleted.

2. Annex IVa is replaced by the following:

Bulgarian version

Износителят на продуктите, обхванати от този документ (митническо разрешение № … [(1)]) декларира, че освен където е отбелязано друго, тези продукти са с … преференциален произход [(2)].

Spanish version

El exportador de los productos incluidos en el presente documento (autorización aduanera n° .. …[(1)].) declara que, salvo indicación en sentido contrario, estos productos gozan de un origen preferencial . …[(2)].

Czech version

Vývozce výrobků uvedených v tomto dokumentu (číslo povolení …[(1)]) prohlašuje, že kromě zřetelně označených, mají tyto výrobky preferenční původ v …[(2)].

Danish version

Eksportøren af varer, der er omfattet af nærværende dokument, (toldmyndighedernes tilladelse nr. ...[(1)]), erklærer, at varerne, medmindre andet tydeligt er angivet, har præferenceoprindelse i ...[(2)].

German version

Der Ausführer (Ermächtigter Ausführer; Bewilligungs-Nr. ...[(1)]) der Waren, auf die sich dieses Handelspapier bezieht, erklärt, dass diese Waren, soweit nicht anderes angegeben, präferenzbegünstigte ...[(2)] Ursprungswaren sind.

Estonian version

Käesoleva dokumendiga hõlmatud toodete eksportija (tolliameti kinnitus nr. ...[(1)]) deklareerib, et need tooted on ...[(2)] sooduspäritoluga, välja arvatud juhul kui on selgelt näidatud teisiti.

Greek version

Ο εξαγωγέας των προϊόντων που καλύπτονται από το παρόν έγγραφο (άδεια τελωνείου υπ΄αριθ. ...[(1)]) δηλώνει ότι, εκτός εάν δηλώνεται σαφώς άλλως, τα προϊόντα αυτά είναι προτιμησιακής καταγωγής ...[(2)].

English version

The exporter of the products covered by this document (customs authorization No ...[1]) declares that, except where otherwise clearly indicated, these products are of ...[2] preferential origin.

French version

L'exportateur des produits couverts par le présent document (autorisation douanière n° ...[1]) déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle ... [2]).

Italian version

L'esportatore delle merci contemplate nel presente documento (autorizzazione doganale n… [1]) dichiara che, salvo indicazione contraria, le merci sono di origine preferenziale ...[2].

Latvian version

Eksportētājs produktiem, kuri ietverti šajā dokumentā (muitas pilnvara Nr. …[1]), deklarē, ka, iznemot tur, kur ir citādi skaidri noteikts, šiem produktiem ir priekšrocību izcelsme no …[2].

Lithuanian version

Šiame dokumente išvardintų prekių eksportuotojas (muitinės liudijimo Nr …[1]) deklaruoja, kad, jeigu kitaip nenurodyta, tai yra[2] preferencinės kilmės prekės.

Hungarian version

A jelen okmányban szereplő áruk exportőre (vámfelhatalmazási szám: …[1]) kijelentem, hogy eltérő jelzés hianyában az áruk kedvezményes …[2] származásúak.

Maltese version

L-esportatur tal-prodotti koperti b'dan id-dokument (awtorizzazzjoni tad-dwana nru. …[1]) jiddikjara li, ħlief fejn indikat b'mod ċar li mhux hekk, dawn il-prodotti huma ta' oriġini preferenzjali …[2].

Dutch version

De exporteur van de goederen waarop dit document van toepassing is (douanevergunning nr. ...[1]), verklaart dat, behoudens uitdrukkelijke andersluidende vermelding, deze goederen van preferentiële ... oorsprong zijn [2].

Polish version

Eksporter produktów objętych tym dokumentem (upoważnienie władz celnych nr …[1]) deklaruje, że z wyjątkiem gdzie jest to wyraźnie określone, produkty te mają …[2] preferencyjne pochodzenie.

Portuguese version

O exportador dos produtos cobertos pelo presente documento (autorização aduaneira n°. ...[1]), declara que, salvo expressamente indicado em contrário, estes produtos são de origem preferencial ...[2].

Romanian version

Exportatorul produselor ce fac ojiectul acestui document (autorizația vamalâ nr. …[1]) declará cá, exceptând cazul în care în mod expres este indicat altfel, aceste produse sunt de origine preferențialā …[2].

Slovenian version

Izvoznik blaga, zajetega s tem dokumentom (pooblastilo carinskih organov št …[1]) izjavlja, da, razen če ni drugače jasno navedeno, ima to blago preferencialno …[2] poreklo.

Slovak version

Vývozca výrobkov uvedených v tomto dokumente (číslo povolenia …[1]) vyhlasuje, že okrem zreteľne označených, majú tieto výrobky preferenčný pôvod v …[2].

Finnish version

Tässä asiakirjassa mainittujen tuotteiden viejä (tullin lupa n:o ...[1]) ilmoittaa, että nämä tuotteet ovat, ellei toisin ole selvästi merkitty, etuuskohteluun oikeutettuja ... alkuperätuotteita [2].

Swedish version

Exportören av de varor som omfattas av detta dokument (tullmyndighetens tillstånd nr. ...[1]) försäkrar att dessa varor, om inte annat tydligt markerats, har förmånsberättigande ... ursprung [2].

Arabic version

يصرح مصدر المنتجات التي تشملها هذه الوثيقة (التصريح الجمركي رقم .....([1])) بإستثناء ما ينص بوضوح على خلاف ذلك، بأن هذه المنتجات من منشأ تفضيلي من .....([2]).

3. Annex IVb shall be replaced by the following:

Bulgarian version

Износителят на продуктите, обхванати от този документ (митническо разрешение № … [1]) декларира, че освен където е отбелязано друго, тези продукти са с … преференциален произход [2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Spanish version

El exportador de los productos incluidos en el presente documento (autorización aduanera n° .. …[1].) declara que, salvo indicación en sentido contrario, estos productos gozan de un origen preferencial . …[2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Czech version

Vývozce výrobků uvedených v tomto dokumentu (číslo povolení …[1]) prohlašuje, že kromě zřetelně označených, mají tyto výrobky preferenční původ v …[2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Danish version

Eksportøren af varer, der er omfattet af nærværende dokument, (toldmyndighedernes tilladelse nr. ...[1]), erklærer, at varerne, medmindre andet tydeligt er angivet, har præferenceoprindelse i ...[2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

German version

Der Ausführer (Ermächtigter Ausführer; Bewilligungs-Nr. ...[1]) der Waren, auf die sich dieses Handelspapier bezieht, erklärt, dass diese Waren, soweit nicht anderes angegeben, präferenzbegünstigte ...[2] Ursprungswaren sind.

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Estonian version

Käesoleva dokumendiga hõlmatud toodete eksportija (tolliameti kinnitus nr. ...[1]) deklareerib, et need tooted on ...[2] sooduspäritoluga, välja arvatud juhul kui on selgelt näidatud teisiti.

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Greek version

Ο εξαγωγέας των προϊόντων που καλύπτονται από το παρόν έγγραφο (άδεια τελωνείου υπ΄αριθ. ...[1]) δηλώνει ότι, εκτός εάν δηλώνεται σαφώς άλλως, τα προϊόντα αυτά είναι προτιμησιακής καταγωγής ...[2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

English version

The exporter of the products covered by this document (customs authorization No ...[1]) declares that, except where otherwise clearly indicated, these products are of ...[2] preferential origin.

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

French version

L'exportateur des produits couverts par le présent document (autorisation douanière n° ...[1]) déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle ... [2]).

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Italian version

L'esportatore delle merci contemplate nel presente documento (autorizzazione doganale n. … [1] dichiara che, salvo indicazione contraria, le merci sono di origine preferenziale ...[2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Latvian version

Eksportētājs produktiem, kuri ietverti šajā dokumentā (muitas pilnvara Nr. …[1]), deklarē, ka, iznemot tur, kur ir citādi skaidri noteikts, šiem produktiem ir priekšrocību izcelsme no …[2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Lithuanian version

Šiame dokumente išvardintų prekių eksportuotojas (muitinės liudijimo Nr …[1]) deklaruoja, kad, jeigu kitaip nenurodyta, tai yra [2] preferencinės kilmės prekės.

- cumulation applied with ……..(name of the country/countries)
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Hungarian version

A jelen okmányban szereplő áruk exportőre (vámfelhatalmazási szám: …[1]) kijelentem, hogy eltérő jelzés hianyában az áruk kedvezményes …[2] származásúak.

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Maltese version

L-esportatur tal-prodotti koperti b'dan id-dokument (awtorizzazzjoni tad-dwana nru. …[1]) jiddikjara li, ħlief fejn indikat b'mod ċar li mhux hekk, dawn il-prodotti huma ta' oriġini preferenzjali …[2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Dutch version

De exporteur van de goederen waarop dit document van toepassing is (douanevergunning nr. ...[1]), verklaart dat, behoudens uitdrukkelijke andersluidende vermelding, deze goederen van preferentiële ... oorsprong zijn [2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Polish version

Eksporter produktów objętych tym dokumentem (upoważnienie władz celnych nr …[1]) deklaruje, że z wyjątkiem gdzie jest to wyraźnie określone, produkty te mają …[2] preferencyjne pochodzenie.

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Portuguese version

O exportador dos produtos cobertos pelo presente documento (autorização aduaneira n°. ...[1]), declara que, salvo expressamente indicado em contrário, estes produtos são de origem preferencial ...[2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Romanian version

Exportatorul produselor ce fac ojectul acestui document (autorizația vamală nr. …[1]) declará cá, exceptând cazul în care în mod expres este indicat altfel, aceste produse sunt de origine preferențială …[2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Slovenian version

Izvoznik blaga, zajetega s tem dokumentom (pooblastilo carinskih organov št …[1]) izjavlja, da, razen če ni drugače jasno navedeno, ima to blago preferencialno …[2] poreklo.

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- no cumulation applied [3]

Slovak version

Vývozca výrobkov uvedených v tomto dokumente (číslo povolenia …[1]) vyhlasuje, že okrem zreteľne označených, majú tieto výrobky preferenčný pôvod v …[2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Finnish version

Tässä asiakirjassa mainittujen tuotteiden viejä (tullin lupa n:o ...[1]) ilmoittaa, että nämä tuotteet ovat, ellei toisin ole selvästi merkitty, etuuskohteluun oikeutettuja ... alkuperätuotteita [2].

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

Swedish version

Exportören av de varor som omfattas av detta dokument (tullmyndighetens tillstånd nr. ...[1]) försäkrar att dessa varor, om inte annat tydligt markerats, har förmånsberättigande ... ursprung [2].

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- no cumulation applied [3]

Arabic version

يصرح مصدر المنتجات التي تشملها هذه الوثيقة (التصريح الجمركي رقم .....([1])) بإستثناء ما ينص بوضوح على خلاف ذلك، بأن هذه المنتجات من منشأ تفضيلي من .....([2]).

- cumulation applied with ……..(name of the country/countries)
- no cumulation applied [3]

CHAPTER TWO: transitional provisions

*Article 3 (Proofs of Origin and administrative cooperation)*

1. Proofs of origin properly issued by either Jordan or a new Member State in the framework of preferential agreements or autonomous arrangements applied between them shall be accepted in the respective countries under this Protocol, provided that:

   (a) the acquisition of such origin confers preferential tariff treatment on the basis of the preferential tariff measures contained in this Agreement or in the Community System of Generalised Preferences;

   (b) the proof of origin and the transport documents were issued no later than the day before the date of accession;

(c) the proof of origin is submitted to the customs authorities within the period of four months from the date of accession.

Where goods were declared for importation in either Jordan or a new Member State, prior to the date of accession, under preferential agreements or autonomous arrangements applied between Jordan and that new Member State at that time, proof of origin issued retrospectively under those agreements or arrangements may also be accepted, provided that it is submitted to the customs authorities within the period of four months from the date of accession.

2. Jordan and the new Member States are authorised to retain the authorisations with which the status of "approved exporters" has been granted in the framework of preferential agreements or autonomous arrangements applied between them, provided that:

(a) this is also provided for in the agreement concluded between Jordan and the Community prior to the date of accession; and

(b) the approved exporters apply the rules of origin in force under that agreement.

These authorisations shall be replaced no later than one year after the date of accession, by new authorisations issued under the terms of the Agreement.

3. Requests for subsequent verification of proof of origin issued under the preferential agreements or autonomous arrangements referred to in paragraphs 1 and 2 above can be presented by the competent customs authorities of either Jordan or the new Member States and shall be accepted by those authorities for a period of three years after issue of the proof of origin concerned.

*Article 4 (Goods in transit)*

1. The provisions of the Agreement may be applied to goods exported either from Jordan to one of the new Member States or from one of the new Member States to Jordan, which comply with the provisions of Protocol 3 and, on the date of accession, are either en route or in temporary storage, in a customs warehouse or in a free zone in Jordan or in that new Member State.

2. Preferential treatment may be granted in such cases, subject to the submission to the customs authorities of the importing country, within four months of the date of accession, of proof of origin issued retrospectively by the customs authorities of the exporting country.

General and final provisions

*Article 5*

The Hashemite Kingdom of Jordan undertakes that it shall neither make any claim, request or referral nor modify or withdraw any concession pursuant to GATT 1994 Articles XXIV.6 and XXVIII in relation to this enlargement of the Community.

*Article 6*

This Protocol shall form an integral part of the Euro-Mediterranean Agreement. The Annexes and declaration to this Protocol shall form an integral part thereof.

*Article 7*

1. This Protocol shall be approved by the Community, by the Council of the European Union on behalf of the Member States, and by the Hashemite Kingdom of Jordan in accordance with their own procedures.

2. The Parties shall notify each other of the accomplishment of the corresponding procedures referred to in the preceding paragraph. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.

*Article 8*

1. This Protocol shall enter into force on the first day of the first month following the date of deposit of the last instrument of approval.

2. This Protocol shall apply provisionally as from 1 January 2007.

*Article 9*

This Protocol is drawn up in duplicate in each of the official languages of the Contracting Parties, each of these texts being equally authentic.

*Article 10*

The text of the Euro-Mediterranean Agreement, including the Annexes and Protocols forming an integral part thereof, and the Final Act together with the declarations annexed thereto shall be drawn up in the Bulgarian and Romanian languages, and these texts shall be authentic in the same way as the original texts. The Association Council shall approve these texts.

FOR THE MEMBER STATES…

FOR THE EUROPEAN COMMUNITY…

FOR THE HASHEMITE KINGDOM OF JORDAN