PROTOCOL

to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, to take account of the accession of the Republic of Croatia 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,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,

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

Contracting Parties to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community, hereinafter referred to as the 'Member States', and

THE EUROPEAN UNION and THE EUROPEAN ATOMIC ENERGY COMMUNITY, ereinafter referred to as 'the European Union',

of the one part, and

THE REPUBLIC OF ALBANIA, hereinafter referred to as 'Albania'

of the other part,

HAVING REGARD to the accession of the Republic of Croatia (hereinafter referred to as 'Croatia') to the European Union on 1 July 2013,

Whereas:

(1) The Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, (hereinafter referred to as 'the SAA') was signed in Luxembourg on 12 June 2006 and entered into force on 1 April 2009.

(2) The Treaty concerning the Accession of Croatia to the European Union (hereinafter referred to as 'the Treaty of Accession') was signed in Brussels on 9 December 2011.

(3) Croatia acceded to the European Union on 1 July 2013.

(4) Pursuant to Article 6(2) of the Act of Accession of Croatia, the accession of Croatia to the SAA is to be agreed by the conclusion of a protocol to the SAA.

(5) Consultations pursuant to Article 36(3) of the SAA have taken place so as to ensure that account is taken of the mutual interests of the European Union and Albania stated in that Agreement,

HAVE AGREED AS FOLLOWS:

SECTION I

Contracting parties

Article 1

Croatia shall be Party to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, signed in Luxembourg on 12 June 2006 (hereinafter referred to as 'the SAA'), and shall respectively adopt and take note, in the same manner as the other Member States of the European Union, of the texts of the SAA, as well as of the Joint Declarations, and the Unilateral Declarations annexed to the Final Act signed on the same date.

ADJUSTMENTS TO THE TEXT OF THE SAA INCLUDING ITS ANNEXES AND PROTOCOLS

SECTION II

Agricultural products

Article 2

Agricultural Products *sensu stricto*

Annex II(c) to the SAA shall be replaced by the text set out in Annex I to this Protocol.

SECTION III

Rules of origin

Article 3

Annex IV of Protocol 4 to the SAA shall be replaced by the text set out in Annex II to this Protocol.

TRANSITIONAL PROVISIONS

SECTION IV

Article 4

WTO

Albania undertakes that it shall not 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 European Union.

Article 5

Proof of origin and administrative cooperation

1. Without prejudice to the application of any measure deriving from the common commercial policy, proof of origin properly issued by either Albania or Croatia or made out in the framework of a preferential agreement applied between them shall be accepted in the respective countries, provided that:

(a) the acquisition of such origin confers preferential tariff treatment on the basis of the preferential tariff measures contained in the SAA;

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

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

Where goods were declared for importation in either Albania or Croatia, prior to the date of accession, proof of origin issued or made out under a preferential agreement may also be accepted provided that such proof is submitted to the customs authorities within a period of four months from the date of accession.

2. Albania and Croatia are authorised to retain the authorisations with which the status of 'approved exporters' has been granted in the framework of a preferential agreement applied between them, provided that:

(a) such a provision is also provided for in the SAA concluded prior to the date of Croatia's accession between Albania and the European Union; and

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

(c) These authorisations shall be replaced, no later than one year after the date of accession of Croatia, by new authorisations issued under the conditions of the SAA.

3. Requests for subsequent verification of proof of origin issued under the preferential agreement referred to in paragraph 1 shall be accepted by the competent customs authorities of either Albania or Croatia for a period of three years after the issue of the proof of origin concerned and may be made by those authorities for a period of three years after acceptance of the proof of origin submitted to those authorities in support of an import declaration.

Article 6

Goods in transit

1. The provisions of the SAA may be applied to goods exported from either Albania to Croatia or from Croatia to Albania, which comply with the provisions of Protocol 4 to the SAA and that on the date of accession of Croatia are either en route or in temporary storage, in a customs warehouse or in a free zone in Albania or in Croatia.

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

Article 7

Quotas in 2013

For the year 2013, the volumes of the new tariff quotas and the increases of the volumes of existing tariff quotas shall be calculated as a pro rata of the basic volumes, taking into account the part of the period elapsed before 1 July 2013.

GENERAL AND FINAL PROVISIONS

SECTION V

Article 8

This Protocol and the Annexes thereto shall form an integral part of the SAA.

Article 9

1. This Protocol shall be approved by the European Union and its Member States and by the Republic of Albania in accordance with their own procedures.

2. The Parties shall notify each other of the completion of the corresponding procedures referred to in paragraph 1. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.

Article 10

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

2. If not all the instruments of approval of this Protocol have been deposited before 1 July 2013, this Protocol shall apply provisionally with effect from 1 July 2013.

Article 11

This Protocol is drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Albanian languages, each of these texts being equally authentic.

Article 12

The text of the SAA, including the Annexes and Protocols which form an integral part thereof, and the Final Act together with the declarations annexed thereto, shall be drawn up in the Croatian language, and those texts shall be authentic in the same way as the original texts. The Stabilisation and Association Council shall approve those texts.

Съставено в Брюксел на двадесети февруари две хиляди и четиринадесета година.
Hecho en Bruselas, el veinte de febrero de dos mil catorce.
V Bruselu dne dvacátého února dva tisíce čtrnáct.
Udfærdiget i Bruxelles den tyvende februar to tusind og fjorten.
Geschehen zu Brüssel am zwanzigsten Februar zweitausendvierzehn.
Kahe tuhande neljateistkümnenda aasta veebruarikuu kahekümnendal päeval Brüsselis.
Έγινε στις Βρυξέλλες, στις είκοσι Φεβρουαρίου δύο χιλιάδες δεκατέσσερα.
Done at Brussels on the twentieth day of February in the year two thousand and fourteen.
Fait à Bruxelles, le vingt février deux mille quatorze.
Arna dhéanamh sa Bhruiséil, an fichiú lá de Feabhra an bhliain dhá mhíle agus a ceathair déag.
Sastavljeno u Bruxellesu dvadesetog veljače dvije tisuće četrnaeste.
Fatto a Bruxelles, addì venti febbraio duemilaquattordici.
Briselē, divi tūkstoši četrpadsmitā gada divdesmitajā februārī.
Priimta du tūkstančiai keturioliktų metų vasario dvidešimtą dieną Briuselyje.
Kelt Brüsszelben, a kétezer-tizennegyedik év február havának huszadik napján.
Magħmul fi Brussell, fl-għoxrin jum ta' Frar tas-sena elfejn u erbatax.
Gedaan te Brussel, de twintigste februari tweeduizend veertien.
Sporządzono w Brukseli dnia dwudziestego lutego roku dwa tysiące czternastego.
Feito em Bruxelas, em vinte de fevereiro de dois mil e catorze.
Întocmit la Bruxelles la douăzeci februarie două mii paisprezece.
V Bruseli dvadsiateho februára dvetisícštrnásť.
V Bruslju, dne dvajsetega februarja leta dva tisoč štirinajst.
Tehty Brysselissä kahdentenakymmenentenä päivänä helmikuuta vuonna kaksituhattaneljätoista.
Som skedde i Bryssel den tjugonde februari tjugohundrafjorton.
Bërë në Bruksel, më njëzet shkurt dymijë e katërmbëdhjetë

За държавите-членки
Por los Estados miembros
Za členské státy
For medlemsstaterne
Für die Mitgliedstaaten
Liikmesriikide nimel
Για τα κράτη μέλη
For the Member States
Pour les États membres
Za države članice
Per gli Stati membri
Dalībvalstu vārdā
Valstybių narių vardu
A tagállamok részéről
Ghall-Istati Membri
Voor de lidstaten
W imieniu państw Członkowskich
Pelos Estados-Membros
Pentru statele membre
Za členské štáty
Za države članice
Jäsenvaltioiden puolesta
För medlemsstaterna
Për Vendet Anëtare



За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Za Europsku uniju
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Ghall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen
Për Bashkimin Europian



За Република Албания
Por la República de Albania
Za Albánskou republiku
På Republikken Albaniens vegne
Für die Republik Albanien
Albaania Vabariigi nimel
Για τη Δημοκρατία της Αλβανίας
For the Republic of Albania
Pour la République d'Albanie
Za Republiku Albaniju
Per la Repubblica di Albania
Albānijas Republikas vārdā
Albanijos Respublikos vardu
az Albán Köztársaság részéről
Għar-Repubblika ta' l-Albanija
Voor de Republiek Albanië
W imieniu Republiki Albanii
Pela República da Albânia
Pentru Republica Albania
Za Albánsku republiku
Za Republiko Albanijo
Albanian tasavallan puolesta
För Republiken Albanien
Për Republikën e Shqipërosë



ANNEX I

'ANNEX II(c)

Albanian tariff concessions for agricultural primary products originating in the Community

(referred to in Article 27(3)(c))

CN Code	Description	Annual quota (in tonnes)	Rate of in-quota duty
0401 10 10	MILK AND CREAM OF A FAT CONTENT BY WEIGHT OF <= 1 %, IN IMMEDIATE PACKINGS OF <= 2 L, NOT CONCENTRATED NOR CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER	790	0 %
0401 20 11	MILK AND CREAM OF A FAT CONTENT BY WEIGHT OF <= 3 % BUT > 1 %, IN IMMEDIATE PACKINGS OF <= 2 L, NOT CONCENTRATED NOR CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER		
0401 20 91	MILK AND CREAM OF A FAT CONTENT BY WEIGHT OF > 3 % BUT <= 6 %, IN IMMEDIATE PACKINGS OF <= 2 L, NOT CONCENTRATED NOR CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER		
1001 91 20 (formerly 1001 90 91)	COMMON WHEAT AND MESLIN SEED	42 000	0 %
1001 99 00 (formerly 1001 90 99)	SPELT, COMMON WHEAT AND MESLIN (EXCLUDING SEED)		
1005 90 00	MAIZE (EXCL. SEED)	10 000	0 %'

ANNEX II

'ANNEX IV

Text of the invoice declaration

The invoice declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

Bulgarian version

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

Spanish version

El exportador de los productos incluidos en el presente documento (autorización aduanera nº … ([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 (tolli 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 nº … ([1])) déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle … ([2]).

Croatian version

Izvoznik proizvoda obuhvaćenih ovom ispravom (carinsko ovlaštenje br. … ([1])) izjavljuje da su, osim ako je drukčije izričito navedeno, ovi proizvodi … ([2]) preferencijalnog podrijetla.

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

To produktu eksportētājs, kuri ietverti šajā dokumentā (muitas atļauja Nr. … ([1])), deklarē, ka, izņemot tur, kur ir citādi skaidri noteikts, šiem produktiem ir preferenciāla izcelsme … ([2]).

Lithuanian version

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

Hungarian version

A jelen okmányban szereplő áruk exportőre (vámfelhatalmazási szám: … ([1])) kijelentem, hogy eltérő egyértelmű jelzés hiányában az áruk preferenciális … ([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 abaixo-assinado, exportador dos produtos abrangidos pelo presente documento (autorização aduaneira n.º … ([1])), declara que, salvo indicação expressa em contrário, estes produtos são de origem preferencial … ([2]).

Romanian version

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

Slovak version

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

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]).

Albanian version

Eksportuesi i produkteve të përfshira në këtë dokument (autorizim doganor Nr. … ([1])) deklaron që, përveç rasteve kur tregohet qartësisht ndryshe, këto produkte janë me origjinë preferenciale … ([2]).

…… ([3])

(Place and date)

…… ([4])

(Signature of the exporter. In addition, the name of the person signing the declaration has to be indicated in clear script.)'

([1]) When the invoice declaration is made out by an approved exporter, the authorization number of the approved exporter must be entered in this space. When the invoice declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.

([2]) Origin of products to be indicated. When the invoice declaration relates, in whole or in part, to products originating in Ceuta and Melilla, the exporter must clearly indicate them in the document on which the declaration is made out by means of the symbol "CM".

([3]) These indications may be omitted if the information is contained on the document itself.

([4]) In cases where the exporter is not required to sign, the exemption of signature also implies the exemption of the name of the signatory.