



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 13.09.1999
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99/0193 (ACC)

Proposal for a

COUNCIL DECISION

on the conclusion of an Agreement in the form of an exchange of letters concerning fishery products, amending the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part

(presented by the Commission)

EXPLANATORY MEMORANDUM

Under the terms of Article 21 (5) and Article 24 of the Europe Agreement between the European Community and Bulgaria, provision is made for the negotiations of reciprocal tariff concessions in the fisheries sector.

In September 1998, the Council approved the negotiating mandate for the Commission to undertake negotiations with Bulgaria to conclude reciprocal tariff concessions in the fisheries sector. As a result, negotiations were held in October and December to finalise these bilateral concessions.

The negotiations were undertaken on the basis of non-papers developed following discussion with the Member States in the Central and Eastern European Countries Working Group of the Council. In the course of the negotiations with Bulgaria, some minor changes were introduced into the respective concessions offered. These changes were incorporated, where possible, to take into account Member States concerns.

The Commission services are of the opinion that the results of the negotiations represent a balanced and acceptable outcome to the negotiations, where the Community is a net beneficiary from the negotiations.

Proposal for a

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on the conclusion of an Agreement in the form of an exchange of letters concerning fishery products, amending the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part,

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with Article 300 (2) first sentence thereof,

Having regard to the proposal from the Commission,

Whereas it is desirable to amend by means of an Agreement in the form of an exchange of letters with the Republic of Bulgaria the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part¹, so as to provide for preferential conditions for the importation into the Community of various fish and fishery products originating in the Republic of Bulgaria, and into the Republic of Bulgaria of various fish and fishery products originating in the Community.

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters between the European Communities and the Republic of Bulgaria, concerning fishery products, amending Article 24 of the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part and introducing into the same Agreement a new Protocol laying down the trade arrangements for certain fish and fishery products, is hereby approved on behalf of the European Community.

The text of the Agreement is attached to this Decision.

¹ OJ L 358 of 31.12.1994, p. 1.

Article 2

The President of the Council is authorised to designate the person empowered to sign the Agreement in order to bind the Community.

Done at Brussels,

For the Council
The President

ANNEX

AGREEMENT

**In the form of an exchange of letters between the European Community and the
Republic of Bulgaria concerning fishery products**

A. Letter from the Community

Sir,

I refer to the Europe Agreement signed between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, on 8 March 1993 [and, in particular, the recommendation by the Joint Committee made during its meeting of in ...] on the importation of various fish and fishery products.

I hereby would like to confirm that the Community [agrees to this recommendation and in consequence] makes the following amendments to the Europe Agreement :

(i) A new sentence shall be added to Article 24 of the Europe Agreement as follows :

«Protocol (number) lays down the trade arrangements for certain fish and fishery products, listed in the annexes to that Protocol»

(ii) A Protocol laying down the trade arrangements for certain fish and fishery products between the European Community and the Republic of Bulgaria, with annexes, shall be added to the Europe Agreement.

I would be grateful if you would confirm the agreement of the Government of the Republic of Bulgaria to the above amendments to the Europe Agreement.

Please accept, Sir, the assurance of my highest consideration

For the European Community

B. Letter from Bulgaria

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows :

«I refer to the Europe Agreement signed between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, on 8 March 1993 [and, in particular, the recommendation by the Joint Committee made during its meeting of in ...] on the importation of various fish and fishery products.

I hereby would like to confirm that the Community [agrees to this recommendation and in consequence] makes the following amendments to the Europe Agreement :

(i) A new sentence shall be added to Article 24 of the Europe Agreement as follows :

«Protocol (number) lays down the trade arrangements for certain fish and fishery products, listed in the annexes to that Protocol»

(ii) A Protocol laying down the trade arrangements for certain fish and fishery products between the European Community and the Republic of Bulgaria, with annexes, shall be added to the Europe Agreement

I would be grateful if you would confirm the agreement of the Government of the Republic of Bulgaria to the above amendments to the Europe Agreement.»

I have the honour to confirm the agreement of my Government with the contents of your letter and to the date proposed for the entry into force of the amendments.

Please accept, Sir, the assurance of my highest consideration

For the Government of the Republic of Bulgaria

PROTOCOL []

Laying down the trade arrangement for certain fish and fishery products between the European Community and the Republic of Bulgaria

Article 1

The Community shall grant the tariff concessions referred to in Annex I for fish and fishery products, originating in Bulgaria, within the stated quantitative limits.

Article 2

Bulgaria shall grant the tariff concessions referred to in Annex II for fish and fishery products, originating in the European Community, within the stated quantitative limits.

Article 3

Taking into account the patterns of trade in fisheries products between the Parties, the particular sensitivity of such products and the possibility of market expansion, the Community and Bulgaria will examine on a regular basis, or on the request of one of the Parties, in the Association Council, product by product and on a reciprocal basis, the possibilities of granting each other further concessions.

Article 4

The tariff concessions referred to in Annexes I and II shall enter into force from [].

ANNEX I

**Imports into the Community of the following products originating in Bulgaria
shall be subject to the concessions set out below**

<u>N°</u>	<u>Tariff N°</u>	<u>Description</u>	<u>Applicable duty</u>	<u>Annual quantities (Tonnes)</u>
1	0301 93	Carp, Live	Free	200
2	0302 69 11	Carp, Fresh or Chilled	Free	50
3	0303 21	Trout, Frozen	Free	260
4	0304 10 19	Fresh or Chilled fillets of Freshwater Fish, other than Trout or Salmon	} Free	150 (of which max. 20 t pike perch)
	0304 20 11	Frozen Fillets of Trout	}	
5	0304 10 91	Other Fresh or Chilled Meat of Freshwater Fish other than Trout	Free	90
6	0305 41	Smoked Salmon	Free	50
7	0305 49	Smoked Fish, including Fillets, excl. Salmon and Herring	Free	50
8	0307 31 10	Mussels, live, fresh or chilled	Free	40
	0307 39 10	Mussels, frozen		
9	0307 99 13	Striped venus and other species of the family Veneridae, frozen	Free	160

10	1604 12	Prepared or Preserved Herrings	Free	50
11	1604 13	Prepared or preserved Sardines, sardinella and brisling or sprats	Free	80
12	1604 15	Prepared or preserved Mackerel	Free	100
13	1604 19 10	Prepared or preserved fish, other	} Free	150
	1604 19 91	Other, Fillets coated		
	1604 19 92	Cod		
	1604 19 93	Coalfish		
	1604 19 94	Hake		
14	1604 20	Other prepared or preserved fish	Free	100
15	1605 20	Prepared or preserved Shrimps and Prawns	Free	770
16	1605 90	Other Molluscs and Aquat. Inv.	Free	90

ANNEX II

Imports into Bulgaria of the following products originating in the Community shall be subject to the concessions set out below

<u>N°</u>	<u>Tariff N°</u>	<u>Description</u>	<u>Applicable duty</u>	<u>Annual quantities (Tonnes)</u>
A	0303 21	Frozen Trout	Free	50
B	0303 50	Herring, Frozen	Free	500
C	0303 71	Sardines, Brisling or Sprat, frozen	Free	200
D	0303 74	Mackerel, frozen	Free	3,500
E	0303 79	Other frozen fish	Free	500
F	ex0304 10 38	Fillets of Herring and Mackerel	Free	100
G	0304 20	Frozen fillets, other than Mackerel and Herring	Free	100
H	0304 90	Other fish meat	Free	200
I	0305 30	Fish fillets, dried, salted or in brine, but not smoked	Free	75
J	0305 41	Smoked Salmon (Atlantic, Pacific and Danube)	Free	100
K	0305 69	Other salted fish, but not dried, or smoked and fish in brine	Free	250
L	0306 13 30 0306 23 31 0306 23 39	Shrimps and Prawns, frozen Shrimps and Prawns, not frozen	} } Free }	1,000
M	0307 49	Other Molluscs	Free	200
N	1604 13	Sardines, Sardinella	Free	120
O	1604 14	Tunas, Skipjack and Bonito (Sarda spp.)	Free	200
P	1604 15	Mackerel	Free	180
Q	1604 20	Other prepared or preserved fish	Free	150