

**ADDITIONAL PROTOCOL**

**to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community and the Republic of Poland and to the Europe Agreement between the European Communities and their Member States and the Republic of Poland**

THE EUROPEAN ECONOMIC COMMUNITY AND THE EUROPEAN COAL AND STEEL COMMUNITY, referred to as 'the Community',

of the one part and,

THE REPUBLIC OF POLAND, hereinafter referred to as 'Poland',

of the other part,

Whereas the Europe Agreement establishing an association between the European Communities and their Member States and the Republic of Poland was signed in Brussels on 16 December 1991 (hereinafter referred to as 'the Europe Agreement') 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 March 1992 by the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Republic of Poland of the other part, signed in Brussels on 16 December 1991 (hereinafter called 'the Interim Agreement'), as last amended by an exchange of letters signed on 21 December 1992 ;

Recognizing the crucial importance of trade in the transition to a market economy ;

BEARING IN MIND the willingness of the Community to accelerate its efforts to open up its markets for products of Polish origin ;

BEARING IN MIND the objectives of the Europe Agreement and, in particular, those referred to in Article 1 thereof ;

HAVING REGARD to the Interim Agreement, and in particular to Article 1 thereof,

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

THE EUROPEAN ECONOMIC COMMUNITY :

THE EUROPEAN COAL AND STEEL COMMUNITY :

THE REPUBLIC OF POLAND :

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

HAVE AGREED AS FOLLOWS :

*Article 1*

Article 3 (2), second subparagraph, of the Interim Agreement and Article 9 (2), second subparagraph, of the Europe Agreement are replaced by the following text :

'Customs duties on imports applicable in the Community to products originating in Poland listed in Annex II b shall be reduced, on the date of entry into force of this Agreement by 20 % of the basic duty and one year thereafter by a further 20 % of the basic duty. Duties shall be totally abolished by the end of the second year after the entry into force of the Agreement.'

*Article 2*

Article 3 (3) of the Interim Agreement and Article 9 (3) of the Europe Agreement are replaced by the following text :

'3. The products of Polish origin listed in Annex III shall benefit from a suspension of customs duties on imports within the limits of annual Community tariff quotas or ceilings increasing progressively in accordance with the conditions defined in that Annex so as to arrive at a complete abolition of customs duties on imports of the products concerned by the end of the third year after the date of entry into force of the Agreement.'

At the same time customs duties on imports applicable to import quantities in excess of the quotas or ceilings provided for above shall be progressively dismantled from the entry into force of the Agreement by annual reductions of 15 %. By the end of the third year, remaining duties shall be abolished.'

*Article 3*

Footnote <sup>(3)</sup> of Annex III to the Interim Agreement and of Annex III to the Europe Agreement replaced by the following text :

'<sup>(3)</sup> These amounts will be increased :

- by 20 % at the entry into force of the Agreement,
- by a further 20 % on 1 January 1993,
- by a further 10 % on 1 July 1993,
- by a further 30 % on 1 January 1994.'

*Article 4*

1. The introductory paragraph of Annex X b to the Interim Agreement and Annex X b to the Europe Agreement shall be replaced by the following text :

'The quantities imported under the CN codes referred to in this Annex, with the exception of codes 0104 and 0204, will be subject to levy and duty reductions of 20 % from 1 March 1992, 40 % from 1 January 1993 and 60 % from 1 July 1993.'

2. An introductory paragraph shall be added to Annex X c of the Interim Agreement and to Annex X c of the Europe Agreement as follows :

'The duty rates set out for year 3, year 4 and year 5 respectively, shall be applicable from 1 July 1993, 1 July 1994 and 1 July 1995 respectively.'

3. A second introductory paragraph shall be added to Annexes VIII a, X b and X c to the Interim Agreement and to Annexes VIII a, X b and X c to the Europe Agreement as follows :

'The quantities in tonnes set out for the year 3 shall be applicable from 1 July 1993 to 30 June 1994. The amounts imported prior to 1 July 1993 in excess of 50 % of the amount for year 2 shall be deducted from the amount applicable for year.'

The quantities in tonnes set out for year 4 and year 5 respectively shall be applicable from 1 July 1994 to 30

June 1995 and from 1 July 1995 to 30 June 1996 respectively.'

*Article 5*

The last two indents of Article 2 (1) of Protocol 1 on textile and clothing products to the Interim Agreement and Protocol 1 on textile and clothing products to the Europe Agreement are replaced by the following text :

'— at the start of the sixth year the remaining duties shall be eliminated.'

*Article 6*

Article 2, point 2, of Protocol 2 on ECSC products to the Interim Agreement and Protocol 2 on ECSC products to the Europe Agreement is replaced by the following text :

'2. further reductions to 60, 40, 20 and 0 % of the basic duty shall be made at the beginning of the second, third, fourth and fifth years respectively after the entry into force of the Agreement.'

*Article 7*

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

*Article 8*

This Protocol shall enter into force on the first day of the month following the date upon which the Parties notify each other of the completion of the procedures necessary for that purpose. This Protocol shall apply from 1 July 1993 with the exception of Article 6.

*Article 9*

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