

FINAL ACT

The plenipotentiaries of:

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE PORTUGUESE REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Community and the Treaty establishing the European Coal and Steel Community,

hereinafter referred to as 'the Member States', and

of the EUROPEAN COMMUNITY and the EUROPEAN COAL AND STEEL COMMUNITY,

hereinafter referred to as 'the Community',

of the one part,

and the plenipotentiary of the STATE OF ISRAEL hereinafter referred to as 'Israel',

of the other part,

meeting at Brussels on the twentieth day of November in the year one thousand nine hundred and ninety-five for the signature of the Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, have adopted the following texts:

the Euro-Mediterranean Agreement, the Annexes thereto and the following Protocols:

- | | |
|------------|--|
| Protocol 1 | concerning the arrangements applicable to the importation into the Community of agricultural products originating in Israel, |
| Protocol 2 | concerning the arrangements applicable to the importation into Israel of agricultural products originating in the Community, |
| Protocol 3 | concerning plant protection matters, |

- Protocol 4 concerning the definition of 'originating products' and methods of administrative cooperation,
Protocol 5 on mutual assistance between administrative authorities in customs matters.

The plenipotentiaries of the Member States and of the Community and the plenipotentiary of Israel have adopted the texts of the Joint Declarations listed below and annexed to this Final Act:

- Joint Declaration relating to Article 2 of the Agreement,
Joint Declaration relating to Article 5 of the Agreement,
Joint Declaration relating to Article 6(2) of the Agreement,
Joint Declaration relating to Article 9(2) of the Agreement,
Joint Declaration relating to Article 39 of and Annex VII to the Agreement,
Joint Declaration relating to Title VI of the Agreement,
Joint Declaration relating to Article 44 of the Agreement,
Joint Declaration on decentralised cooperation
Joint Declaration relating to Article 68 of the Agreement,
Joint Declaration relating to Article 74 of the Agreement,
Joint Declaration relating to Article 75 of the Agreement,
Joint Declaration on public procurement,
Joint Declaration on veterinary matters,
Joint Declaration relating to Protocol 4 of the Agreement,
Joint Declaration on advance implementation.

The plenipotentiaries of the Member States and of the Community and the plenipotentiary of Israel have also taken note of the following Exchanges of Letters annexed to this Final Act:

- Agreement in the form of an Exchange of Letters concerning outstanding bilateral issues,

Agreement in the form of an Exchange of letters relating to Protocol 1 and concerning imports into the Community of fresh cut flowers and flower buds falling within subheading 0603 10 of the Common Customs Tariff,

Agreement in the form of an Exchange of Letters regarding the implementation of the Uruguay Round Agreements.

The plenipotentiary of Israel has taken note of the Declarations by the European Community mentioned below and annexed to this Final Act:

- Declaration relating to Article 28 of the Agreement on cumulation of origin,
Declaration relating to Article 28 of the Agreement on adaptation of rules of origin,
Declaration relating to Article 36 of the Agreement,
Declaration relating to Title VI of the Agreement on economic cooperation.

The plenipotentiaries of the Member States and of the Community have taken note of the Declaration by Israel mentioned below and annexed to this Final Act:

- Declaration relating to Article 65 of the Agreement.

Hecho en Bruselas, el veinte de noviembre de mil novecientos noventa y cinco.

Udfærdiget i Bruxelles, den tyvende november nitten hundrede og femoghalvfems.

Geschehen zu Brüssel am zwanzigsten November neunzehnhundertfünfundneunzig.

Έγινε στις Βρυξέλλες, στις είκοσι Νοεμβρίου χίλια εννιακόσια ενενήντα πέντε.

Done at Brussels on the twentieth day of November in the year one thousand, nine hundred and ninety-five.

Fait à Bruxelles, le vingt novembre mil neuf cent quatre-vingt-quinze.

Fatto a Bruxelles, addì venti novembre millenovecentonovantacinque.

Gedaan te Brussel, de twintigste november negentienhonderdvijfennegentig.

Feito em Bruxelas, em vinte de Novembro de mil novecentos e noventa e cinco.

Tehty Brysselissä kahdentenakymmenentenä päivänä marraskuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäviisi.

Som skedde i Bryssel den tjugonde november nittonhundranittiofem.

נעשה בבריסל בכ"ז בחשוון תשנ"ו שהוא העשרים בנובמבר אלף תשע
מאות תשעים וחמש.

Pour le Royaume de Belgique

Voor het Koninkrijk België

Für das Königreich Belgien

Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franstalige Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brusselse Hoofdstedelijke Gewest.

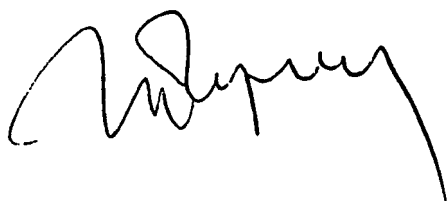
Diese Unterschrift verbindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

På Kongeriget Danmarks vegne

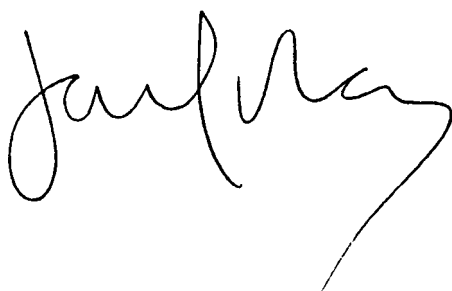
Für die Bundesrepublik Deutschland



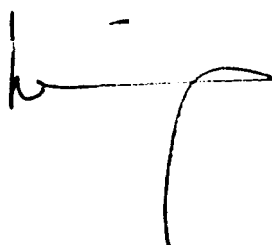
Για την Ελληνική Δημοκρατία



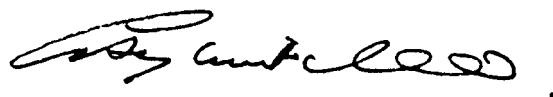
Por el Reino de España



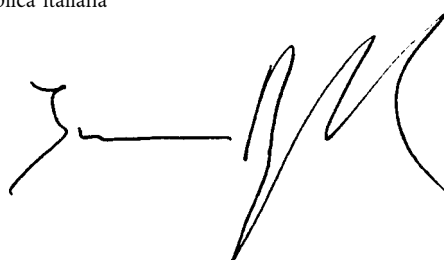
Pour la République française



Thar cheann na hÉireann
For Ireland



Per la Repubblica italiana



Pour le Grand-Duché de Luxembourg



Voor het Koninkrijk der Nederlanden



Für die Republik Österreich



Pela República Portuguesa



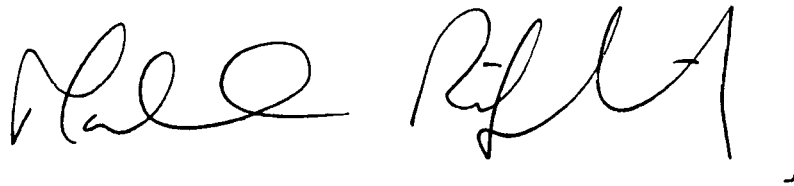
Suomen tasavallan puolesta



För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland



Por las Comunidades Europeas

For De Europæiske Fællesskaber

Für die Europäischen Gemeinschaften

Για τις Ευρωπαϊκές Κοινότητες

For the European Communities

Pour les Communautés européennes

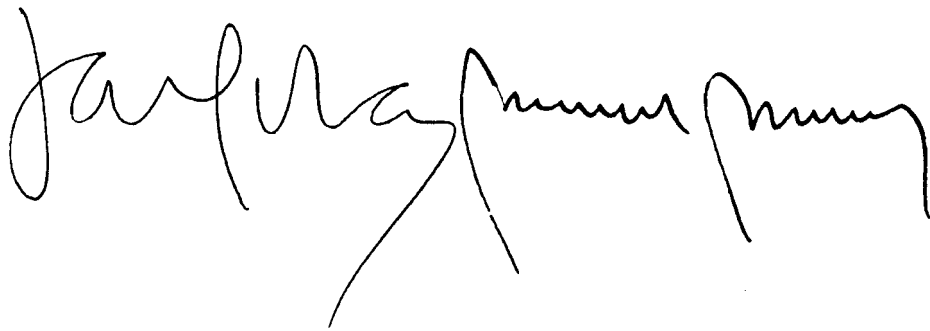
Per le Comunità europee

Voor de Europese Gemeenschappen

Pelas Comunidades Europeias

Euroopan yhteisöjen puolesta

På Europeiska gemenskapernas vägnar



בשם ממשלת מדינת ישראל



JOINT DECLARATIONS

Joint Declaration relating to Article 2

The Parties reaffirm the importance they attach to the respect of human rights as set out in the UN Charter including the struggle against xenophobia, anti-Semitism and racism.

Joint Declaration relating to Article 5

It may be agreed that meetings of experts on particular subjects should take place.

Joint Declaration relating to Article 6(2)

In case of changes in the nomenclature used for the classification of agricultural goods or non-Annex II processed agricultural products, the Parties agree to hold consultations in order to agree the adaptations which would appear necessary to maintain the existing concessions.

Joint Declaration relating to Article 9(2)

With a view to ensuring the smooth application of the prior notification, provided for in Article 9(2) of the Agreement, Israel shall transmit to the Commission, within an appropriate period before adoption, in an informal and confidential manner, the elements of the calculation of the agricultural component to be applied. The Commission shall inform Israel of its assessment within a period of 10 working days.

Joint Declaration relating to Article 39 and Annex VII

For the purpose of this Agreement, intellectual, industrial and commercial property includes in particular copyright, including the copyright in computer programs, and neighbouring rights, patents, industrial designs, geographical indications, including appellations of origin, trade marks and service marks, topographies of integrated circuits, as well as protection against unfair competition as referred to in Article 10a of the Paris Convention for the Protection of Industrial Property (Stockholm Act, 1967) and protection of undisclosed information on 'know-how'.

It is understood that in the translation of the Agreement into Hebrew the expression 'intellectual, industrial and commercial property' will be translated into the Hebrew term corresponding to 'intellectual property'.

Joint Declaration relating to Title VI

Each Party shall be responsible for bearing the financial costs of its share of participation in activities undertaken in the context of economic cooperation, to be decided on a case-by-case basis.

Joint Declaration relating to Article 44

The Parties reaffirm their commitment to the Middle East peace process and their belief that peace should be consolidated through regional cooperation. The Community is prepared to support joint development projects submitted by Israel and its neighbours, subject to relevant Community technical and budgetary procedures.

Joint Declaration on decentralised cooperation

The Parties reaffirm the importance they attach to decentralised cooperation programmes as a means of encouraging the exchange of experience and transfer of knowledge in the Mediterranean region and between the European Community and its Mediterranean partners.

Joint Declaration relating to Article 68

The Association Council's rules of procedure will provide for the possibility of decisions to be adopted by written procedure.

Joint Declaration relating to Article 74

The Parties note that the Economic and Social Committee of the Community and the Israeli Economic and Social Council may intensify their relations by means of annual dialogue and mutual cooperation.

Joint Declaration relating to Article 75

When the arbitration procedure is applied, the Parties will endeavour to ensure that the Association Council appoints the third arbitrator within two months of the appointment of the second arbitrator.

Joint Declaration on public procurement

The Parties will open formal negotiations in a number of areas to open their respective government procurement markets beyond what has been mutually agreed under the Government Procurement Agreement concluded in the framework of the WTO, hereinafter referred to as GPA. These negotiations should be undertaken in such a way that an agreement will be reached before the end of 1995.

The Parties agree that these negotiations will cover, *inter alia*, the procurement of:

- goods, works and services by entities operating in the telecommunications and urban transport sector (with the exception of buses),
- services purchased by GPA covered entities, in order to expand mutual commitments under Annex 4 of Appendix I of the GPA.

The Parties shall undertake to refrain from introducing additional discriminatory measures against suppliers of the other Party in the fields of heavy electrical and medical equipment beyond the provisions already agreed in the GPA and they shall seek to avoid introducing discriminatory measures which distort open procurement.

The Parties shall periodically review the implementation of their agreement on government procurement with a view to further negotiations aimed at an expansion of mutual coverage.

In addition the Parties will actively support the liberalisation of telecommunications service markets and will participate in the multilateral GATS negotiating group on basic telecommunications.

Joint Declaration on veterinary matters

The Parties shall seek to apply their rules on veterinary matters in a non-discriminatory manner and not to introduce any new measures that have the effect of unduly obstructing trade.

Joint Declaration relating to Protocol 4

The Community and Israel agree that working or processing carried out outside the Parties shall be effected by means of outward processing or a similar system.

Joint Declaration on advance implementation

The Parties express their intention to effect advance implementation of the provisions of the Agreement concerning trade and concerning customs cooperation by means of an interim Agreement to enter into force, if possible, by 1 January 1996.

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS
between the Community and Israel concerning outstanding bilateral issues

A. Letter from the Community

Sir,

The Community and Israel note the agreement reached on implementing an acceptable solution to all bilateral issues still outstanding concerning the application of the Cooperation Agreement of 1975.

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the European Union

B. Letter from Israel

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

‘The Community and Israel note the agreement reached on implementing an acceptable solution to all bilateral issues still outstanding concerning the application of the Cooperation Agreement of 1975.

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.’

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Israel

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

between the Community and Israel relating to Protocol 1 and concerning imports into the Community of fresh cut flowers and flower buds falling within subheading 0603 10 of the Common Customs Tariff

A. Letter from the Community

Sir,

The following was agreed between the Community and Israel:

Protocol 1 provides for the elimination of customs duties on imports into the Community of cut flowers and flower buds, fresh, falling within subheading 0603 10 of the Common Customs Tariff and originating in Israel, subject to a limit of 19 500 tonnes.

Israel undertakes to abide by the conditions laid down below for imports into the Community of roses and carnations which qualify for the elimination of this tariff:

- the price level of imports into the Community must be at least equal to 85 % of the Community price level for the same products over the same periods,
- the Israeli price level shall be determined by recording the prices of the imported products, on representative Community import markets,
- the Community price level shall be based on the producer prices recorded on representative markets of the main producer Member States,
- price levels will be recorded on a fortnightly basis and weighted by the respective quantities. This provision is valid for Community prices and for Israeli prices,
- for both Community producer prices and the import prices of Israeli products, a distinction shall be made between large-flowered and small-flowered roses and between unifloral and multifloral carnations,
- if the Israeli price level for any one type of product is below 85 % of the Community price level, the tariff preference shall be suspended. The Community shall reinstate the tariff preference when an Israeli price level equal to 85 % or more of the Community price level is recorded.

Israel further undertakes to maintain the traditional breakdown of trade between roses and carnations.

Should the Community market be disturbed by a change in this breakdown, the Community reserves the right to determine the proportions in line with traditional trade patterns. In such cases, an appropriate exchange of views could take place.

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the European Union

B. Letter from Israel

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

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I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Israel

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS
between the Community and Israel regarding the implementation of the Uruguay Round
Agreements

A. Letter from the Community

Sir,

The Agreement reached between the European Community and Israel does not contain any provisions regarding the new regime applied on the import of oranges into the Community. The Parties will continue negotiations on this matter in order to find a solution before the beginning of the marketing year 1995/1996, i.e. 1 December. In this context, the Community has agreed that Israel will not be treated less favourably than other Mediterranean partners.

By 1 December 1995, if an accord has not been reached regarding the entry price for oranges, the Community will take all necessary measures to guarantee to Israel an adequate and acceptable entry price for both Parties, which will enable the importation of 200 000 tonnes of oranges from Israel, a figure which will imply a reduction of 30% from the actual tariff quota for oranges from Israel.

In addition, the Community will adopt the appropriate measures to allow the import into the Community of traditional Israeli non-Annex II processed agricultural products covered by concessions in the new Agreement.

Similarly, if necessary, Israel will take parallel measures to ensure the import of traditional Community exports of agricultural products for the 1995/1996 season.

I should be grateful if you would kindly inform me whether the Government of Israel is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the European Union

B. Letter from Israel

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

'The Agreement reached between the European Community and Israel does not contain any provisions regarding the new regime applied on the import of oranges into the Community. The Parties will continue negotiations on this matter in order to find a solution before the beginning of the marketing year 1995/1996, i.e. 1 December. In this context, the Community has agreed that Israel will not be treated less favourably than other Mediterranean partners.

By 1 December 1995, if an accord has not been reached regarding the entry price for oranges, the Community will take all necessary measures to guarantee to Israel an adequate and acceptable entry price for both Parties, which will enable the importation of 200 000 tonnes of oranges from Israel, a figure which will imply a reduction of 30% from the actual tariff quota for oranges from Israel.

In addition, the Community will adopt the appropriate measures to allow the import into the Community of traditional Israeli non-Annex II processed agricultural products covered by concessions in the new Agreement.

Similarly, if necessary, Israel will take parallel measures to ensure the import of traditional Community exports of agricultural products for the 1995/1996 season.

I should be grateful if you would kindly inform me whether the Government of Israel is in agreement with the contents of this letter.'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Israel

DECLARATIONS BY THE EUROPEAN COMMUNITY**Declaration by the European Community on cumulation of origin (Article 28)**

In line with political developments, if and when Israel and one or more other Mediterranean countries conclude Agreements to establish free trade among themselves, the European Community is prepared to implement cumulation of origin in its trade arrangements with those countries.

Declaration by the European Community on adaptation of rules of origin (Article 28)

In the framework of the ongoing process of harmonisation of rules of origin applicable between the Community and other third countries, the Community may in future submit to the Association Council the amendments to Protocol 4 that may be necessary.

Declaration by the European Community relating to Article 36

The Community declares that, until the adoption by the Association Council of the implementing rules on fair competition referred to in Article 36(2), in the context of the interpretation of Article 36(1), it will assess any practice contrary to that Article on the basis of the criteria resulting from the rules contained in Articles 85, 86 and 92 of the Treaty establishing the European Community, and, for products covered by the Treaty establishing the European Coal and Steel Community, from those contained in Articles 65 and 66 of that Treaty and the Community rules on State aids, including secondary legislation.

As regards the agricultural products referred to in Title II Chapter 3, the Community will assess any practice contrary to paragraph 1(i) of Article 36 according to the criteria established by the Community on the basis of Articles 42 and 43 of the Treaty establishing the European Community and in particular those established in Council Regulation No 26 of 1962.

Declaration by the European Community on economic cooperation (Title VI)

Israel will remain eligible for funding from the Community budget for programmes of regional cooperation in the Mediterranean and other relevant horizontal budget lines. Israel will also remain eligible for European Investment Bank (EIB) loans granted under the horizontal Mediterranean facility.

DECLARATION BY ISRAEL**Declaration by Israel on Article 65**

Israel states that, in the discussions leading to the Association Council's decision referred to in Article 65(1), it will raise the question of provisions to avoid double contribution in respect of workers of one Party resident in the territory of the other Party.
