

**CENTRAL EUROPEAN FREE TRADE AGREEMENT -
ACCESSION OF ROMANIA**

**AGREEMENT ON ACCESSION OF ROMANIA TO THE
CENTRAL EUROPEAN FREE TRADE AGREEMENT**

The Czech Republic, the Republic of Hungary, the Republic of Poland, the Slovak Republic and the Republic of Slovenia on the one side and Romania on the other side (hereinafter called the Parties),

Reaffirming their commitment to the principles of a market economy, which constitutes the basis for their relations,

Considering the positive development of the mutual economic co-operation between the Parties,

Wishing to contribute to the process of integration in Europe through the extension of the Central European Free Trade Agreement,

Having in mind the Declarations of Prime Ministers, done on 25 November 1994 in Poznań, on 11 September 1995 in Brno and on 13 September 1996 in Jasná,

Recalling the official request of Romania on 10 April 1996 to accede to the Central European Free Trade Agreement,

Taking into account the Agreement Amending the Central European Free Trade Agreement, done in Brno on 11 September 1995,

Acting in accordance with the provisions of Article 39 a of the Central European Free Trade Agreement,

Have agreed as follows:

Article 1

Romania shall accede to the Central European Free Trade Agreement.

Article 2

Romania shall accept the Central European Free Trade Agreement with all its amendments signed before signature of this Agreement and shall be understood to include Romania.

Article 3

References in the Central European Free Trade Agreement to its Parties and where all states are explicitly mentioned shall be understood to include Romania.

Article 4

The basic duty referred to in paragraph 1 of Article 4 of the Central European Free Trade Agreement, in case of Romania shall be the Most Favoured Nation rate of duty applicable on 1 January 1993.

Article 5

1. In order to implement the provisions of paragraph 2 of Article 3 of the Central European Free Trade Agreement Protocols 14, 15, 16 and 17 to the Central European Free Trade Agreement are hereby established and attached to this Agreement.

2. Provisions for the abolition of customs duties on imports between:

- the Czech Republic and the Slovak Republic on the one side and Romania on the other side are laid down in Protocol 14,
- the Republic of Hungary on the one side and Romania on the other side are laid down in Protocol 15,
- the Republic of Poland on the one side and Romania on the other side are laid down in Protocol 16,
- the Republic of Slovenia on the one side and Romania on the other side are laid down in Protocol 17.

Article 6

1. In order to implement the provisions of paragraph 1 of Article 12 of the Central European Free Trade Agreement Protocols 18, 19, 20 and 21 to the Central European Free Trade Agreement are hereby established and attached to this Agreement.

2. Provisions for granting mutual agricultural concessions between:

- the Czech Republic and the Slovak Republic on the one side and Romania on the other side are laid down in Protocol 18,
- the Republic of Hungary on the one side and Romania on the other side are laid down in Protocol 19,
- the Republic of Poland on the one side and Romania on the other side are laid down in Protocol 20,
- the Republic of Slovenia on the one side and Romania on the other side are laid down in Protocol 21.

Article 7

The provisions in paragraph 2 of Article 5 and paragraph 2 of Article 7 of the Central European Free Trade Agreement shall not cover the 0.25 per cent ad-valorem customs clearance fee applied by Romania to imports from and exports to the Czech Republic, the Republic of Hungary, the Republic of Poland, the Slovak Republic and the Republic of Slovenia. The respective fee shall be eliminated by 31 December 1997 at the latest.

Article 8

Quantitative restrictions on imports or measures having equivalent effect referred to in paragraph 2 of Article 8 of the Central European Free Trade Agreement and specified in Annexes III/a, III/b and III/c of the Central European Free Trade Agreement shall also apply to imports of products originating in Romania, subject to the provisions in Annex to Article 8 of this Agreement.

Article 9

In the relations with the Czech Republic, the Republic of Hungary, the Republic of Poland, the Slovak Republic and the Republic of Slovenia, the elimination of quantitative restrictions on exports from Romania, stipulated in paragraph 2 of Article 9 of the Central European Free Trade Agreement, shall not apply to the products listed in annex to Article 9 of this Agreement. The respective restrictions shall be eliminated by 31 December 1997.

Article 10

For the purposes of this Agreement it is understood that Protocol 7 of the Central European Free Trade Agreement concerning the definition of the concept of "originating products" and methods of administrative cooperation shall also apply to the products originating in Romania, subject to the provisions in Annex to Article 10 of this Agreement.

Article 11

References to cooperation in customs administration in paragraph 2 of Article 16 of the Central European Free Trade Agreement shall be understood that the mutual assistance between administrative authorities in customs matters of the Czech Republic and the Slovak Republic on the one side and Romania on the other side shall take place in accordance with the provision of Annex to Article 11 of this Agreement.

Article 12

1. References to government procurement in Article 24 of the Central European Free Trade Agreement shall be understood, in relations between the Czech Republic and the Slovak Republic on the one side and Romania on the other side, as for public procurement and the period referred to in paragraph 2 of Article 24 shall end by 31 December 1998 at the latest.

2. It is agreed that consultations shall be held in the Joint Committee under paragraph 3 of Article 24 of the Central European Free Trade Agreement concerning the extension to other Parties of the treatment referred to in paragraph 1.

Article 13

This Agreement shall constitute an integral part of the central European Free Trade Agreement.

Article 14

1. This Agreement shall enter into force on the thirtieth day after receiving by the Depositary of the last notification of the Parties to the Central European Free Trade Agreement and Romania on the completion of procedures necessary for that purpose.

2. The Depositary shall, without any delay, notify all Parties of the completion of procedures necessary for entry into force of this Agreement.

3. Pending the entry into force of this Agreement according to paragraph 1 of this Article, the Czech Republic, the Republic of Hungary, the Republic of Poland, the Slovak Republic and the Republic of Slovenia shall apply this Agreement provisionally from 1 July 1997, provided that Romania shall notify the other Parties, prior to 1 June 1997, that its internal legal requirements for entry into force of this Agreement are fulfilled and Romania shall apply this Agreement from 1 July 1997.

4. As from the date of entry into force of this Agreement the free trade agreements concluded between:

- the Czech Republic and Romania, signed at Prague on 24 October 1994;
- the Slovak Republic and Romania, signed at Bucharest on 11 November 1994, by mutual consent of the Parties concerned expressed in this Agreement shall cease to be in force.

5. As from the date of provisional application of this Agreement the free trade agreements mentioned in paragraph 4 of this Article shall not be applied between their Contracting Parties.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized thereto, have signed this Agreement.

DONE at Bucharest, this 12th day of April 1997, in a single authentic copy in the English language, which shall be deposited with the Government of the Republic of Poland. The Depositary shall transmit certified copies to all Parties.

For the Czech Republic

For the Slovak Republic

For the Republic of Hungary

For the Republic of Slovenia

For the Republic of Poland

For Romania
