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EUROPEAN COMMISSION

Brussels, 15.11.2010
COM(2010) 664 final

2010/0323 (NLE)

Proposal for a

COUNCIL DECISION

on the conclusion of a Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, extending the provisions of the Partnership and Cooperation Agreement to bilateral trade in textiles

EXPLANATORY MEMORANDUM

The Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, entered into force on 1 July 1999.

This agreement contains a provision according to which its trade provisions – namely, most favoured nation (MFN) trade conditions and abolition of quantitative restrictions – do not apply to trade in textile products, which was regulated by a separate bilateral agreement.

This bilateral agreement, in force since 1 January 2000, lapsed on 31 December 2004. While in practice trade in textiles between the EU and Uzbekistan continued to proceed smoothly since 1 January 2005, legal certainty needs to be ensured.

On 9 June 2010, the Council authorised the Commission to enter into negotiations with the Republic of Uzbekistan to amend the PCA, so as to ensure that the principles which apply to trade in other goods are also extended formally to trade in textile products. These negotiations have been successfully concluded and the Protocol amending the PCA by abrogating Article 16 and all references thereto, was initialled on 1 July 2010.

In addition, some updates of a technical nature have been introduced. This has taken the form of the deletion of Article 8(3) and Annex I, stemming from the time of the dissolution of the USSR, and which had expired in 1998.

The Council is invited to adopt the attached proposed Decision on the conclusion of a Protocol to the PCA, which shall form an integral part of the PCA. A separate proposal on the signature of the Protocol is also being submitted.

Proposal for a

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on the conclusion of a Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, extending the provisions of the Partnership and Cooperation Agreement to bilateral trade in textiles

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207, in conjunction with Article 218(6)(a)(v) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

Whereas:

- (1) On 9 June 2010 the Council authorised the Commission to enter into negotiations with the Republic of Uzbekistan to amend the Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, on the one part, and the Republic of Uzbekistan, of the other part, so as to ensure that the principles which apply to trade in other goods are also extended formally to trade in textile products. These negotiations have been successfully concluded and the Protocol amending the PCA by abrogating Article 16, and all references thereto, has been initialled on 1 July 2010.
- (2) In the framework of the negotiations it was agreed between both parties to carry out a clean up exercise and to delete an obsolete provision and the corresponding Annex referring to a technical provision that expired in 1998.
- (3) In accordance with Council Decision [.../.../...²] the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, amending the Agreement in order to extend the provisions of the Agreement to bilateral trade in textiles, taking account of the expiry of the bilateral textiles Agreement, the Protocol was signed on [xx.xx.xxxx], subject to its conclusion at a later date.
- (4) The Protocol should be concluded,

¹ OJ C [...], p.[...]

² See page ... of this Official Journal.

HAS ADOPTED THIS DECISION:

Article 1

The Protocol to the Partnership and Cooperation Agreement (the PCA) between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, extending the provisions of the PCA to bilateral trade in textiles, taking account of the expiry of the bilateral textiles Agreement, is hereby approved on behalf of the Union³.

Article 2

The President of the Council shall, on the behalf of the European Union, give the notification provided for in Article 101 of the PCA.

Article 3

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

*For the Council
The President*

³ The date of entry into force of the Protocol shall be published in the Official Journal of the European Union by the General Secretariat of the Council.

PROTOCOL

to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, amending the Agreement in order to extend the provisions of the Agreement to bilateral trade in textiles, taking account of the expiry of the bilateral textiles Agreement

THE EUROPEAN UNION,

of the one part, and

THE REPUBLIC OF UZBEKISTAN,

of the other part,

hereinafter referred to as "Parties" for the purpose of this Protocol.

Whereas:

- (1) The Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, entered into force on 1 July 1999.
- (2) Negotiations have taken place to ensure that the principles in the PCA which apply to trade in other goods are also extended formally to trade in textile products.
- (3) Appropriate amendments to the PCA should be adopted,

HAVE AGREED AS FOLLOWS:

Article 1

The Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, is hereby amended as follows:

1. Article 8(3) is deleted.
2. In Article 11 the references to Article 16 are deleted.
3. Article 16 is deleted.
4. Annex I of the Agreement is deleted.

Article 2

This Protocol shall enter into force on the first day of the month following the notification by the European Union or Uzbekistan of the completion of the necessary domestic procedures for the approval of this Protocol, whichever is the latter.

Article 3

This Protocol shall form an integral part of the Partnership and Cooperation Agreement, establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part.

Article 4

This Protocol is drawn up in duplicate in each of the official languages of the contracting parties, each of these texts being equally authentic.

Done at.....,

For the European Union

For the Republic of Uzbekistan