

EC-THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA (GOODS)
Summary Fact Sheet
March 2008

Table 1: Background Information

Parties	European Communities, Former Yugoslav Republic of Macedonia (FYROM)	
Date of signature	9 April 2001	
Date of entry into force	1 June 2001	
Transition period for full implementation	10 Years	
Date of full implementation	1 June 2011	
Website addresses or points of contact	http://ec.europa.eu/trade/issues/bilateral/regions/balkans/index_en.htm	
List of related GATT/WTO documents	WT/REG129/N/1 WT/REG129/1 WT/REG129/2 WT/REG129/3 WT/REG129/M/1 – M/2 WT/REG129/4	Notification Agreement Terms of Reference Standard Format Summary Records Questions and Replies

Table 2: Internal Trade Liberalization

Import duties and charges	Articles 4-5 (Industrial Products) Article 14 (Agricultural Products) Article 15 (Fisheries Products) Article 15 (Tariff Rates Quotas) Articles 6-7 (charges having an effect equivalent to import duties)
Export duties and charges	Article 7 Any customs duties on exports and charges having equivalent effect are to be eliminated as of date of entry into force Special provisions are outlined in the Standstill, General Safeguard and Shortage clauses
Non-tariff measures	The EC and the FYROM abolished all quantitative restrictions and measures having equivalent effects upon entry into force of the Interim Agreement Article 21 (Prohibition Of Fiscal Discrimination)
Sector-specific rules	Protocol 1 sets out the conditions and timetable for the FYROM's reduction of its customs duties on certain categories of textiles and clothing (as listed in Annex I) Protocol 2 contains four main provisions on the steel industry. Chapter II deals with Agricultural and Fisheries products Protocol 3 sets out the duties, conditions and timetables to be applied by the EC and the FYROM on processed agricultural products
Product exclusions	Yes

Table 3: Common External Tariff

Provisions	None
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Table 4: Provisions of the Agreement

Provision	Relevant Article(s)	Additional Information
Rules of Origin	Article 6, Article 7, Article 27 and Annexes I and II of Protocol 4	Protocol 4 gives the criteria for defining the originating status of products in the framework of the Agreement (rules of origin). The normal criteria for defining the originating status of a product has been retained (Protocol 4 Title II) and includes provisions for non-originating materials that have been sufficiently transformed to be considered originating. Processing requirements are defined on a product-by-product basis, while bilateral cumulation is possible. Evidence of the originating status of products is to be furnished on the basis of a movement certificate EUR.1 or an "invoice declaration", as provided in Annex III and IV to the Protocol.
Standards-related measures	None	
SPS measures	None	

Provision	Relevant Article(s)	Additional Information
Safeguard mechanisms (intra-trade)	Article 17, Article 24, Article 25 and Article 32	Appropriate measures may be taken when any product (especially agriculture and fisheries given their sensitivity) is being imported in such increased quantities as to cause serious injury or disturbances to domestic producers in any sector or a critical shortage of foodstuffs or other products essential to the exporting Party, or re-export to a third country of a product against which the exporting Party maintains quantitative export restrictions, export duties or measures or charges having equivalent effect. Such difficulties are to be referred to the Cooperation Council which may take any decision needed. If no satisfactory solution has been reached within 30 days the importing Party may adopt appropriate measures. When serious balance of payments difficulties, or imminent threat thereof, occur, restrictive measures may be adopted in accordance with the conditions established under the WTO Agreement.
Anti-dumping and countervailing measures	Article 23	The Parties may take anti-dumping measures in accordance with the Agreement on implementation of Article VI of the GATT 1994 and their own related internal legislation. The Cooperation Council shall be informed of the dumping case as soon as the authorities of the importing Party have initiated an investigation. When no end has been put to the dumping within the meaning of Article VI of the GATT within 30 days of the matter being referred to the Cooperation Council, the importing Party may adopt the appropriate measures. The Interim Agreement does not contain any provisions relating to countervailing measures
Subsidies and state aid	Article 33 and Article 34	Considered to be incompatible with the proper functioning of the Agreement in so far as they may affect trade between the Parties and could prevent, restrict or distort competition, with the exception of provisions on trade in agricultural and fisheries products. These practices shall be regulated under the relevant rules of the Treaty establishing the European Community. FYROM has been granted, on an exceptional basis and under certain conditions, a possibility to grant public aid for restructuring and conversion of its steel industry over five years after entry into force of the Agreement. The Agreement includes transparency provisions on public aid. In case of practices incompatible with these rules, a Party may under certain conditions take appropriate measures, after consultation with the Cooperation Council. With regards to public undertakings, each party shall ensure that as from the third year following the entry into force of the Agreement, the relevant principles of the Treaty establishing the European Community are upheld.
Customs-related procedures	Article 36	Mutual assistance between administrative authorities in customs matters of the Parties shall take place in accordance with the provisions of Protocol 5
IPR	Article 35 and Annex VI	FYROM shall take the necessary measures to guarantee no later than five years after entry into force of the agreement a level of protection on intellectual, industrial and commercial property rights similar to that existing in the Community, including effective means of enforcing such rights. FYROM undertakes to accede, within this period, to the multilateral conventions referred to in Annex VI. The Cooperation Council shall be referred to in case difficulties arise with the protection of intellectual, industrial and commercial property with the view to reaching mutually satisfactory solutions.
Government procurement	None	
Competition	Article 33	Anti-competitive activities are recognised as incompatible with the proper functioning of the Interim Agreement and will be assessed on the

Provision	Relevant Article(s)	Additional Information
		basis of the criteria arising from the application of the rules of the Treaty establishing the European Community
Investment	Article 32 and Article 42	The Interim Agreement includes provisions on exchange rate policy, balance-of-payments difficulties, and transfers. No restrictive measures shall apply to transfers related to investment and to the repatriation of amounts invested or reinvested.
General exceptions	Article 28 and 41	The Agreement contains exceptions clauses on national security, public morality, law and order and public security, the protection of life and health of humans, animals or plants, national treasures, industrial and commercial property and rules related to gold and silver.
Accession	None	
Dispute resolution	Article 39	The parties may refer to the Cooperation Council any dispute relating to the application or interpretation of the Interim Agreement. The Cooperation Council may settle the dispute by means of binding decision.
Relation with other trade agreements	Article 22	The Interim Agreement does not preclude the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade except in so far as they alter the trade arrangements provided for in this Agreement. The Interim Agreement and the future Stabilisation and Association Agreement are intended to contribute to regional trade integration within the South East Europe region. This objective is to be met by the implementation by the countries of the region measures for trade liberalisation and facilitation.
Institutional provisions	Article 37 and Article 38	The Cooperation Council set up by the Co-operation Agreement between the EC and FYROM shall perform the duties assigned to it in the Interim Agreement. It shall have the power to take decisions and make recommendations in the cases provided for in the Agreement. The Cooperation Council may be assisted in its duties by a Joint Committee composed of representatives of both Parties. The Cooperation Council may delegate to the Joint Committee any of its powers.
Transparency	Article 33	Parties shall ensure transparency in the area of state aid.
Other	Preamble	Pending entry into force of the Stabilisation and Association Agreement (SAA) between the EC and its Member States with FYROM, signed on 9 April 2001, the trade and trade-related provisions of the SAA have been implemented by an Interim Agreement on Trade and Trade-related Matters.

Table 5a: Trade and tariff Data (EC imports from FYROM)
1998 and 2001

	Imports 1998 and 2001				No. of HS 6 digit lines		
	Value		% of total		No. lines	% of total	
	1998	2001	1998	2001		by sector	Overall
Total	0.6	0.6	0.1	0.1	..	..	..
of which liberalized by EOI	..	..	..	..	..	..	..

Table 5a: Trade and tariff Data (FYROM imports from the EC)
1998 and 2001

	Imports 1998 and 2001				No. of HS 6 digit lines		
	Value		% of total		No. lines	% of total	
	1998	2001	1998	2001		by sector	Overall
Total	..	1.6	..	..	..	..	..
of which liberalized by EOI

.. Not available