

THE PRESIDENT OF THE REPUBLIC OF TUNISIA:

Mr. Habib BOURGUIBA Jr.,
Secretary of State for Foreign Affairs

Mr. Ahmed BEN SALAH,
Secretary of State for Planning and National Economy

WHO, having exchanged their full powers, found in good and due form,
HAVE AGREED AS FOLLOWS:

ARTICLE 1

By the present Agreement an association is established between the European Economic Community and Tunisia.

PART 1

TRADE

ARTICLE 2

1. Products originating in Tunisia shall upon importation into the Community benefit from the provisions set forth in Annexes 1 and 2.
2. Products originating in the Community shall upon importation into Tunisia benefit from the provisions set forth in Annex 3.
3. The Contracting Parties shall take all general or special measures calculated to ensure execution of the obligations arising out of the Agreement.

They shall abstain from any action likely to jeopardize attainment of the aims of the Agreement.

ARTICLE 3

Any measure or practice of an internal fiscal character that establishes, whether directly or indirectly, a discrimination as between the products of one Contracting Party and the like products originating in the other Contracting Party shall be prohibited.

ARTICLE 4

1. Subject to special provisions in respect of frontier trade, the treatment accorded by Tunisia to products originating in the Community may in no case be less favourable than that accorded to products originating in the most-favoured third State.
2. To the extent that export duties are charged on the products of one Contracting Party when consigned to the other Contracting Party, those duties may not be in excess of those imposed on products consigned to the most-favoured third State.
3. The provisions of paragraphs 1 and 2 shall not prevent the maintenance or establishment by Tunisia of customs unions or free-trade areas, to the extent that these do not have the effect of changing the trade régime, and in particular the provisions concerning rules of origin, provided for by the present Agreement.

In particular, these provisions shall not prevent the maintenance or conclusion of agreements in furtherance of the progressive economic integration of the Maghreb.

ARTICLE 5

The provisions set forth in the protocol define the rules of origin applicable to products covered by this Agreement.

ARTICLE 6

Payments in respect of trade in goods and likewise the transfer of such payments to the member State in which the creditor resides or to Tunisia shall be authorized to the extent that such trade falls within the purview of this Agreement.

ARTICLE 7

1. To the extent that protective measures prove necessary for the industrialization and development needs of Tunisia, the latter may withdraw concessions granted on the products concerned other than those included in list 5 of Annex 3, subject to their replacement by other concessions so as to maintain the equilibrium of the Agreement.
2. These withdrawal and replacement measures shall be taken after consultation in the Association Council.

ARTICLE 8

1. If serious disturbances occur in a sector of Tunisia's economic activity or threaten its external financial stability, or if difficulties arise that have the effect of altering the economic situation of any area of Tunisia, the latter may take the necessary safeguard measures.

These measures and their implementing modalities shall be notified without delay to the Association Council.

2. If serious disturbances occur in a sector of the economic activity of the Community or of one or more of the member States, or threaten their external financial stability, or if difficulties arise that have the effect of altering the economic situation of any area of the Community, the latter may take or authorize the member State or States concerned to take the necessary safeguard measures.

These measures and their implementing modalities shall be notified without delay to the Association Council.

3. For the implementation of the provisions of paragraphs 1 and 2, the measures selected must as a matter of priority be those causing the least possible disturbance in the functioning of the Agreement. These measures must not exceed what is strictly necessary to remedy the difficulties which have arisen.

4. Consultations may take place in the Association Council on measures taken in pursuance of paragraphs 1 and 2.

ARTICLE 9

The provisions of this Agreement shall not prevent prohibitions or restrictions being imposed on imports, exports or transit on the grounds of public morality, public order, public security, protection of human or animal life or health, the preservation of plant life, the protection of national treasures of artistic, historical or archaeological value, or the protection of industrial or commercial property. Such prohibitions or restrictions shall not, however, constitute either a means of arbitrary discrimination or a disguised restriction on trade.