

CHAPTER II

AGRICULTURAL AND FISHERY PRODUCTS

ARTICLE 10

Scope

1. The provisions of this Chapter shall apply to agricultural and fishery products originating in the territory of each Party.
2. The term "agricultural and fishery products" (hereinafter referred to as agricultural products) means, for the purpose of this Agreement, the products falling within Chapters 01 to 24 of the Harmonized Commodity Description and Coding System and the products listed in Annex I of this Agreement.

ARTICLE 11

Exchange of Concessions

1. The Parties to this Agreement shall mutually allocate concessions set forth in Protocol I in accordance with the provisions of this Chapter.
2. Taking into account the role of agriculture in their respective economies, the development of trade in agricultural products, the high sensitivity of agricultural products and the rules of their respective agricultural policies, the Parties shall examine in the Joint Committee the possibilities of granting further concessions to each other in trade in agricultural products.

ARTICLE 12

Sanitary and Phytosanitary Measures

The Parties shall not apply their regulations in sanitary and phytosanitary matters as an arbitrary or unjustifiable discrimination or a disguised restriction of trade between them. The Parties shall apply these measures within the spirit of the provisions of the GATT 1994 and the WTO Agreement on Application of Sanitary and Phytosanitary Measures.

ARTICLE 13

Specific Safeguards

Notwithstanding other provisions of this Agreement, and in particular Article 22, given the particular sensitivity of the agricultural products, if imports of products originating in a Party, which are the subject of concessions granted under this Agreement, cause serious disturbance to the markets or to their domestic regulatory mechanisms, in the other Party, both Parties shall enter into

consultations immediately to find an appropriate solution. Pending such solution, the Party concerned may take the measures it deems necessary in accordance with the relevant WTO rules.

CHAPTER III SERVICES AND INVESTMENTS

ARTICLE 14

1. The Parties to this Agreement recognize the growing importance of services and investments. In their efforts to gradually develop and broaden their co-operation, in particular in the context of the European integration, they will co-operate with the aim of further promoting investments and achieving a progressive liberalization and mutual opening of their markets for investments and trade in services, taking into account relevant provisions of the General Agreement on Trade in Services (GATS).
2. The Parties will discuss in the Joint Committee this co-operation with the aim of developing and deepening of their relations in conformity with this Article.

CHAPTER IV COMMON PROVISIONS

ARTICLE 15 Internal Taxation

1. The Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Party and like products originating in the other Party.
2. Products exported to the territory of one of the Parties may not benefit from repayment of internal indirect taxation which exceed amount of the indirect taxation imposed on those products.

ARTICLE 16 Customs Unions, Free Trade Areas and Cross-Border Arrangements

1. This Agreement shall not prevent the maintenance or establishment of customs unions, free trade areas or arrangements for cross-border trade of the Parties with third countries to the extent that these do not negatively affect the trade regime and in particular the provisions concerning rules of origin provided for by this Agreement.