

FINAL ACT

The Plenipotentiaries of:

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE PORTUGUESE REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Community and the Treaty on European Union, hereinafter referred to as "the Member States", and of

THE EUROPEAN COMMUNITY, hereinafter referred to as "the Community",

of the one part, and

the Plenipotentiaries of THE REPUBLIC OF LEBANON, hereinafter referred to as "Lebanon"

of the other part,

meeting in Luxembourg on 17/06/2002 for the signature of the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, hereinafter referred to as "the Agreement",

have at the time of signature adopted the following texts:

the Agreement,

its Annexes 1 and 2, namely:

ANNEX 1      List of agricultural and processed agricultural products falling under  
HS chapters 25 to 97 referred to in articles 7 and 12

ANNEX 2      Intellectual, industrial and commercial property referred to in Article 38

and Protocols 1 to 5, namely:

PROTOCOL 1 concerning arrangements applicable to imports into the Community of agricultural products originating in Lebanon referred to in Article 14(1)

PROTOCOL 2 concerning arrangements applicable to imports into Lebanon of agricultural products originating in the Community referred to in Article 14(2)

PROTOCOL 3 on trade between Lebanon and the Community in processed agricultural products referred to in Article 14(3)

ANNEX 1 concerning arrangements applicable to imports into the Community of processed agricultural products originating in Lebanon

ANNEX 2 concerning arrangements applicable to imports into Lebanon of processed agricultural products originating in the Community

PROTOCOL 4 concerning the definition of the concept of "originating products" and methods of administrative cooperation

PROTOCOL 5 on mutual administrative assistance in customs matters

The Plenipotentiaries of the Member States of the Community and the Plenipotentiaries of Lebanon have also adopted the following Declarations attached to this Final Act:

#### JOINT DECLARATIONS

Joint Declaration relating to the Preamble of the Agreement

Joint Declaration relating to Article 3 of the Agreement

Joint Declaration on Article 14 of the Agreement

Joint Declaration relating to Article 27 of the Agreement

Joint Declaration relating to Article 28 of the Agreement

Joint Declaration relating to Article 35 of the Agreement

Joint Declaration relating to Article 38 of the Agreement

Joint Declaration relating to Article 47 of the Agreement

Joint Declaration relating to Article 60 of the Agreement

Joint Declaration relating to Workers (Article 65 of the Agreement)

Joint Declaration relating to Article 67 of the Agreement

Joint Declaration relating to Article 86 of the Agreement

Joint Declaration relating to visas

#### DECLARATIONS BY THE EUROPEAN COMMUNITY

Declaration by the European Community on Turkey

Declaration by the European Community relating to Article 35 of the Agreement

## JOINT DECLARATIONS

### JOINT DECLARATION RELATING TO THE PREAMBLE OF THE AGREEMENT

The Parties declare their awareness of the fact that liberalisation of trade between them implies measures to adapt and restructure the Lebanese economy which may have effects on budgetary resources and the speed of Lebanon's reconstruction.

### JOINT DECLARATION RELATING TO ARTICLE 3 OF THE AGREEMENT

The Parties reiterate their intention to support efforts to achieve an equitable, comprehensive and lasting peace settlement in the Middle East.

### JOINT DECLARATION ON ARTICLE 14 OF THE AGREEMENT

Both Parties agree to negotiate with a view to granting each other concessions in the trade of fish and fishery products on the basis of reciprocity and mutual interest, with the objective of reaching agreement on the details no later than two years after the signature of this Agreement.

### JOINT DECLARATION RELATING TO ARTICLE 27 OF THE AGREEMENT

The Parties confirm their intention to prohibit the export of toxic waste and the European Community confirms its intention to assist Lebanon in seeking solutions to the problems posed by such waste.

#### JOINT DECLARATION RELATING TO ARTICLE 28 OF THE AGREEMENT

In order to take account of the time-scale necessary for setting up the free trade areas between Lebanon and the other Mediterranean countries, the Community undertakes to give favourable consideration to requests presented to it for anticipated application of the diagonal cumulation with those countries.

#### JOINT DECLARATION RELATING TO ARTICLE 35 OF THE AGREEMENT

The implementation of cooperation mentioned in Article 35 paragraph 2 is conditional upon the entry into force of a Lebanese competition law and of the taking up of the duties of the authority responsible for its application.

#### JOINT DECLARATION RELATING TO ARTICLE 38 OF THE AGREEMENT

The Parties agree that for the purpose of the Agreement, intellectual, industrial and commercial property includes in particular copyright, including the copyright in computer programmes, and neighbouring rights, the rights relating to databases, the rights relating to patents, industrial designs, geographical indications, including designations of origin, trademarks and service marks, topographies of integrated circuits, as well as protection against unfair competition as referred to in Article 10 Bis of the Paris Convention for the Protection of Industrial Property and protection of undisclosed information on know-how.

The provisions of Article 38 shall not be interpreted in a manner to oblige either Party to accede to international conventions other than those referred to in Annex 2.

The Community will grant technical assistance to the Lebanese Republic in its endeavour to comply with its obligations under Article 38.

#### JOINT DECLARATION RELATING TO ARTICLE 47 OF THE AGREEMENT

The Parties recognise the need to modernise the Lebanese productive sector in order to adapt it better to the realities of the international and of the European economy.

The Community may give its support to Lebanon in implementing a support programme for the industrial sectors which are to benefit from restructuring and modernisation in order to cope with difficulties which may stem from the liberalisation of trade and in particular the dismantling of tariffs.

#### JOINT DECLARATION RELATING TO ARTICLE 60 OF THE AGREEMENT

The Parties agree that the standards established by the Financial Action Task Force (FATF) are part of the international standards referred to in paragraph 2.



#### JOINT DECLARATION RELATING TO WORKERS (ARTICLE 65 OF THE AGREEMENT)

The Parties reaffirm the importance they attach to fair treatment of foreign workers legally employed on their territory. The Member States agree that, if Lebanon so requests, they are each prepared to negotiate bilateral Agreements relating to the working conditions, remuneration, dismissal and social security rights of Lebanese workers legally employed on their territory.

#### JOINT DECLARATION RELATING TO ARTICLE 67 OF THE AGREEMENT

The Parties declare that special attention will be accorded to protection, conservation and restoration of sites and monuments.

They agree to cooperate in seeking to ensure the return of those parts of the Lebanese cultural heritage illegally removed from the country since 1974.

#### JOINT DECLARATION RELATING TO ARTICLE 86 OF THE AGREEMENT

- (a) The Parties agree, for the purpose of the correct interpretation and practical application of the Agreement, that the term "cases of special urgency" in Article 86 means a case of the material breach of the Agreement by one of the Parties. A material breach of the Agreement consists in:
- repudiation of the Agreement not sanctioned by the general rules of international law,
  - violation of the essential element of the Agreement, namely its Article 2.

- (b) The Parties agree that the "appropriate measures" referred to in Article 86 are measures taken in accordance with international law. If a Party takes a measure in a case of special urgency as provided for under Article 86, the other Party may avail itself of the procedure relating to settlement of disputes.

#### JOINT DECLARATION RELATING TO VISAS

The Parties agree to study the simplification and acceleration of visa issue procedures, in particular with regard to bona-fide persons active in the implementation of the Agreement, including inter alia business persons, investors, academics, trainees, government officials; spouses and minor children of persons legally resident in the territory of the other Party shall also be considered.

## DECLARATIONS BY THE EUROPEAN COMMUNITY

### DECLARATION BY THE EUROPEAN COMMUNITY ON TURKEY

The Community recalls that according to the Customs Union in force between the Community and Turkey, this country has the obligation, in relation to countries which are not members of the Community, to align itself on the Common Customs Tariff and, progressively, with the preferential customs regime of the Community, taking the necessary measures and negotiating agreements on mutually advantageous basis with the countries concerned. Consequently, the Community invites Lebanon to enter into negotiations with Turkey as soon as possible.

### DECLARATION BY THE EUROPEAN COMMUNITY RELATING TO ARTICLE 35 OF THE AGREEMENT

The European Community declares that, in the context of the interpretation of Article 35(1), it will assess any practice contrary to that Article on the basis of the criteria resulting from the rules contained in Articles 81 and 82 of the Treaty establishing the European Community, including secondary legislation.