Council Decision (EU) 2018/1908 of 6 December 2018 on the accession of Samoa to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part

COUNCIL DECISION (EU) 2018/1908

of 6 December 2018

on the accession of Samoa to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part

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 point (a) (v) of the second subparagraph of Article 218(6) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

(1) On 12 June 2002, the Council authorised the Commission to open negotiations for Economic Partnership Agreements with the African, Caribbean and Pacific Group of States.

(2) The Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part[(1)] (the 'Interim Partnership Agreement'), which establishes a framework for an Economic Partnership Agreement, was signed in London on 30 July 2009. The Interim Partnership Agreement has been provisionally applied by Papua New Guinea and by Fiji since 20 December 2009 and 28 July 2014, respectively.

(3) Article 80 of the Interim Partnership Agreement lays down the provisions regarding the accession of the other Pacific Island States.

(4) On 5 February 2018, Samoa submitted an accession request together with a market access offer to the Council.

(5) The Commission has assessed Samoa's offer and found it acceptable. Accordingly, it concluded negotiations with Samoa on 23 April 2018.

(6) Article 76(3) of the Interim Partnership Agreement makes it possible for the Union and Samoa to provisionally apply the Interim Partnership Agreement by notifying each other in writing of the completion of the procedures necessary for this purpose.

(7) The accession of Samoa to the Interim Partnership Agreement should be approved on behalf of the Union, subject to Samoa's deposit of the act of accession pursuant to Article 80(2) thereof,

HAS ADOPTED THIS DECISION:

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2018/1908. (See end of Document for details)*

Article 1

1 The accession of Samoa to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part (the 'Interim Partnership Agreement'), is hereby approved on behalf of the Union, subject to Samoa's deposit of the act of accession pursuant to Article 80(2) thereof.

2 The President of the Council shall notify the other Contracting Parties of the Interim Partnership Agreement and Samoa of the approval, by the Union, of the accession of Samoa to the Interim Partnership Agreement, on behalf of the Union.

3 The text of the market access offer of Samoa is attached to this Decision.

Article 2

1 For the purposes of applying the Interim Partnership Agreement provisionally between the Union and Samoa, the President of the Council shall give the notification referred to in Article 76(3) of the Interim Partnership Agreement on behalf of the Union.

2 The Union and Samoa shall provisionally apply the Interim Partnership Agreement 10 days after they have notified each other in writing of the completion of the procedures necessary for this purpose in accordance with paragraph 1.

Article 3

The approval of the accession of Samoa to the Interim Partnership Agreement shall not be construed as conferring rights or imposing obligations which can directly be invoked before Union or Member State courts or tribunals.

Article 4

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

Done at Brussels, 6 December 2018.

For the Council

The President

H. KICKL

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (EU) 2018/1908. (See end of Document for details)*

ANNEX

CUSTOMS DUTIES APPLICABLE ON IMPORTS INTO THE INDEPENDENT STATE OF SAMOA
Summary of the Market Access Trade in Goods offer

Basket	**Number of NTL**	**Share of NTL**	**EU exports to SAMOA, 2014-2016 average, in Euro**	**Share of exports**
A (05 yrs)	183	3,3 %	EUR 121 078,28	3,0 %
B (10 yrs)	3 036	55,4 %	EUR 1 127 573,44	28,1 %
C (15 yrs)	1 257	22,9 %	EUR 1 541 170,02	38,5 %
D (20 yrs)	50	0,9 %	EUR 416 608,67	10,4 %
E (excl)	955	17,4 %	EUR 799 823,94	20,0 %
Total	5 481	100,0 %	4 006 254	100,0 %

Source of data: Submitted by the Samoan competent authorities in the context of the accession request of 5 February 2018
Liberalisation schedule starting from year T (date of start of the provisional application)

Liberalisation category	**T**	**T + 1**	**T + 2**	**T + 3**	**T + 4**	**T + 5**	**T + 6**	**T + 7**	**T + 8**	**T + 9**	**T + 10**
Cat A (5 yrs)	unbound	unbound	unbound	unbound	unbound	free	free	free	free	free	free
Cat B (10 yrs)	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound	free
Cat C (15 yrs)	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound
Cat D (20 yrs)	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound
Cat E (Exclusion)	excl	excl	excl	excl	excl	excl	excl	excl	excl	excl	excl

Liberalisation category	**T + 11**	**T + 12**	**T + 13**	**T + 14**	**T + 15**	**T + 16**	**T + 17**	**T + 18**	**T + 19**	**T + 20**
Cat A (5 yrs)	free	free	free	free	free	free	free	free	free	free

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2018/1908. (See end of Document for details)*

Cat B (10 yrs)	free	free	free	free	free	free	free	free	free	free
Cat C (15 yrs)	unbound	unbound	unbound	unbound	free	free	free	free	free	free
Cat D (20 yrs)	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound	unbound	free
Cat E (Exclusion)	excl	excl	excl	excl	excl	excl	excl	excl	excl	excl

CUSTOMS DUTIES APPLICABLE ON IMPORTS INTO THE INDEPENDENT STATE OF SAMOA

HS 8 Code	Indicative description at subheading level	Description at 8-digit level	Base rate	Basket
0101.21.00	Pure-bred breeding horses		8 %	B (10 yrs)
0101.29.00	Live horses (excl. pure-bred for breeding)		20 %	C (15 yrs)
0101.30.00	Live asses		8 %	B (10 yrs)
0101.90.10	Live mules and hinnies	– – – Horses	20 %	C (15 yrs)
0101.90.90	Live mules and hinnies	– – – Other	8 %	B (10 yrs)
0102.21.00	Pure-bred cattle for breeding		0 %	A (5 yrs)
0102.29.00	Live cattle (excl. pure-bred for breeding)		8 %	B (10 yrs)
0102.31.00	Pure-bred buffalo for breeding		0 %	A (5 yrs)
0102.39.00	Live buffalo (excl. pure-bred for breeding)		8 %	B (10 yrs)
0102.90.00	Live bovine animals (excl. cattle and buffalo)		8 %	B (10 yrs)

0103.10.00	Pure-bred breeding swine		8 %	B (10 yrs)
0103.91.00	Live pure-bred swine, weighing < 50 kg (excl. pure-bred for breeding)		8 %	B (10 yrs)
0103.92.00	Live pure-bred swine, weighing >= 50 kg (excl. pure-bred for breeding)		8 %	B (10 yrs)
0104.10.00	Live sheep		8 %	B (10 yrs)
0104.20.00	Live goats		8 %	B (10 yrs)
0105.11.00	Live fowls of the species *Gallus domesticus*, weighing <= 185 g (excl. turkeys and guinea fowls)		0 %	A (5 yrs)
0105.12.00	Live domestic turkeys, weighing <= 185 g		0 %	A (5 yrs)
0105.13.00	Live domestic ducks, weighing <= 185 g		0 %	A (5 yrs)
0105.14.00	Live domestic geese, weighing <= 185 g		0 %	A (5 yrs)
0105.15.00	Live domestic guinea fowls, weighing <= 185 g		0 %	A (5 yrs)
0105.94.00	Live fowls of the species *Gallus domesticus*, weighing > 185 g		0 %	A (5 yrs)
0105.99.00	Live domestic ducks, geese, turkeys and guinea fowls, weighing > 185 g		0 %	A (5 yrs)