

**No. 34463. Multilateral**

EURO-MEDITERRANEAN AGREEMENT ESTABLISHING AN ASSOCIATION BETWEEN THE EUROPEAN COMMUNITIES AND THEIR MEMBER STATES, OF THE ONE PART, AND TUNISIA, OF THE OTHER PART. BRUSSELS, 17 JULY 1995 [*United Nations, Treaty Series, vol. 2008, I-34463.*]

PROTOCOL BETWEEN THE EUROPEAN UNION AND THE REPUBLIC OF TUNISIA ESTABLISHING A DISPUTE SETTLEMENT MECHANISM APPLICABLE TO DISPUTES UNDER THE TRADE PROVISIONS OF THE EURO-MEDITERRANEAN AGREEMENT ESTABLISHING AN ASSOCIATION BETWEEN THE EUROPEAN COMMUNITY AND ITS MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF TUNISIA, OF THE OTHER PART (WITH ANNEXES). BRUSSELS, 9 DECEMBER 2009\*

**Entry into force:** 1 April 2013, in accordance with article 23

**Authentic texts:** Arabic, Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish and Swedish

**Registration with the Secretariat of the United Nations:** Council of the European Union, 17 September 2014

\*No UNTS volume number has yet been determined for this record. Only the authentic English and French texts of the Protocol with annexes are published herein. Other authentic texts of the Agreement are not published herein, in accordance with article 12 (2) of the General Assembly Regulations to give effect to Article 102 of the Charter of the United Nations, as amended, and the publication practice of the UN Secretariat.

**N° 34463. Multilatéral**

ACCORD EURO-MÉDITERRANÉEN ÉTABLISSANT UNE ASSOCIATION ENTRE LES COMMUNAUTÉS EUROPÉENNES ET LEURS ÉTATS MEMBRES, D'UNE PART, ET TUNISIE, D'AUTRE PART. BRUXELLES, 17 JUILLET 1995 [*Nations Unies, Recueil des Traités, vol. 2008, I-34463.*]

PROTOCOLE ENTRE L'UNION EUROPÉENNE ET LA RÉPUBLIQUE TUNISIENNE INSTITUANT UN MÉCANISME DE RÈGLEMENT DES DIFFÉRENDS RELATIFS AUX DISPOSITIONS COMMERCIALES DE L'ACCORD EURO-MÉDITERRANÉEN ÉTABLISSANT UNE ASSOCIATION ENTRE LA COMMUNAUTÉ EUROPÉENNES ET SES ÉTATS MEMBRES, D'UNE PART, ET LA RÉPUBLIQUE TUNISIENNE, D'AUTRE PART (AVEC ANNEXES). BRUXELLES, 9 DÉCEMBRE 2009\*

**Entrée en vigueur :** 1<sup>er</sup> avril 2013, conformément à l'article 23

**Textes authentiques :** arabe, bulgare, tchèque, danois, néerlandais, anglais, estonien, finnois, français, allemand, grec, hongrois, italien, letton, lituanien, maltais, polonais, portugais, roumain, slovaque, slovène, espagnol et suédois

**Enregistrement auprès du Secrétariat des Nations Unies :** Conseil de l'Union européenne, 17 septembre 2014

\*Le numéro de volume RTNU n'a pas encore été établi pour ce dossier. Seuls les textes authentiques anglais et français du Protocole avec annexes sont publiés ici. Les autres textes authentiques de l'Accord ne sont pas publiés ici conformément aux dispositions de l'article 12, paragraphe 2, des réglementations de l'Assemblée générale, en application de l'article 102 de la Charte des Nations Unies, tel qu'amendé, et de la pratique dans le domaine des publications du Secrétariat.

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**PROTOCOL  
BETWEEN THE EUROPEAN UNION  
AND THE REPUBLIC OF TUNISIA  
ESTABLISHING A DISPUTE SETTLEMENT MECHANISM  
APPLICABLE TO DISPUTES UNDER THE TRADE PROVISIONS  
OF THE EURO-MEDITERRANEAN AGREEMENT  
ESTABLISHING AN ASSOCIATION  
BETWEEN THE EUROPEAN COMMUNITY  
AND ITS MEMBER STATES, OF THE ONE PART,  
AND THE REPUBLIC OF TUNISIA, OF THE OTHER PART**

THE EUROPEAN UNION, hereinafter referred to as "the Union",

of the one part, and

THE REPUBLIC OF TUNISIA, hereinafter referred to as "Tunisia",

of the other part,

HAVE DECIDED AS FOLLOWS:

CHAPTER I

OBJECTIVE AND SCOPE

ARTICLE 1

Objective

The objective of this Protocol is to avoid and settle any trade dispute between the Parties with a view to arrive at, where possible, a mutually agreed solution.

ARTICLE 2

Application of the Protocol

1. The provisions of this Protocol apply with respect to any dispute concerning the interpretation and application of the provisions of Title II (with the exception of Article 24) of the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part (hereinafter referred to as "the Association Agreement"), except as otherwise expressly provided<sup>1</sup>. Article 86 of the Association Agreement applies to disputes relating to the application and interpretation of other provisions of that Agreement.

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<sup>1</sup> The provisions of this Protocol are without prejudice to Article 34 of the Protocol concerning the definition of the concept of "originating products" and methods of administrative cooperation.

2. The procedures of this Protocol shall apply if, 60 days after a dispute has been referred to the Association Council pursuant to Article 86 of the Association Agreement, the Association Council has failed to settle the dispute.

3. For the purposes of paragraph 2, a dispute shall be deemed to be resolved when the Association Council has taken a decision as provided for in Article 86.2 of the Association Agreement, or when it has declared that there is no longer a dispute.

## CHAPTER II

### CONSULTATIONS AND MEDIATION

#### ARTICLE 3

##### Consultations

1. The Parties shall endeavour to resolve any difference regarding the interpretation and application of the provisions referred to in Article 2 by entering into consultations in good faith with the aim of reaching a prompt, equitable, and mutually agreed solution.
2. A Party shall seek consultations by means of a written request to the other Party, copied to the subcommittee on industry, trade and services, identifying any measure at issue and the provisions of the Association Agreement that it considers applicable.