

GENERAL AGREEMENT ON

TARIFFS AND TRADE

RESTRICTED

L/7220

3 June 1993

Limited Distribution

Original: English

PROTOCOLS OF SUCCESSION BY THE CZECH REPUBLIC AND THE SLOVAK REPUBLIC TO THE EFTA - CZECH AND SLOVAK FEDERAL REPUBLIC FREE TRADE AGREEMENT

Communication from Sweden on behalf of the EFTA States and the Czech Republic and the Slovak Republic

The following communication, dated 7 May 1993, has been received from the Permanent Mission of Sweden on behalf of the EFTA States on the one hand, and the Czech Republic and the Slovak Republic on the other.

I am writing to you on behalf of the EFTA States (Austria, Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland) on the one hand, and the Czech Republic and the Slovak Republic on the other, to inform you that the continued application of the Free Trade Agreement between the EFTA States and the former Czech and Slovak Federal Republic has been settled by the signature of two separate Protocols of succession, which as from 19 April 1993 on form the legal basis for the continuation of their free trade relations, following the dissolution of the CSFR. The two Protocols are still subject for ratification in Austria, and for Liechtenstein the procedures of acceptance are ongoing.

There are now two separate, but identical, Free Trade Agreements between the EFTA States and the two successor States to the CSFR. The form and content of the two Agreements are the same as in the original Agreement with the CSFR signed on 20 March 1992, and no changes in the Parties' trade régimes with each other have been made. The original EFTA-CSFR Agreement has been notified to the CONTRACTING PARTIES in document L/7041 and Add.1 on 3 July 1992. A working party has been established to review the original Agreement and the Parties to the Agreements see no need for changes in this review procedure.

Please find attached texts of the two Protocols of succession. Decisions of the Joint EFTA-Czech Republic and Joint EFTA-Slovak Republic Committees containing some technical adaptations to the Agreement needed as a result of the dissolution of the CSFR have been made available to the GATT secretariat.¹

¹Regional & Preferential Trade and Trade & Finance Division
(Office No. 3006)

PROTOCOL ON THE SUCCESSION BY THE CZECH REPUBLIC TO THE
AGREEMENT BETWEEN THE EFTA STATES AND THE CSFR

The Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden, the Swiss Confederation

and

the Czech Republic,

Having regard to the Agreement between the EFTA States and the Czech and Slovak Federal Republic, signed in Prague on 20 March 1992, which has been ratified by the CSFR and by the above EFTA States,

Having regard to the Constitutional Act on the dissolution of the Czech and Slovak Federal Republic adopted by the Federal Assembly of the Czech and Slovak Federal Republic on 25 November 1992, in particular its Article 1 which provides that the Czech Republic and the Slovak Republic will be successor States to the Czech and Slovak Federal Republic when the latter ceased to exist on 31 December 1992,

Having regard to the Declaration by the Government of the Czech Republic made on 8 December 1992, in which the Czech Republic declared that it would, as of 1 January 1993, assume as successor to the Czech and Slovak Federal Republic for its territory, the rights and obligations as State Party to the EFTA-CSFR Agreement of 20 March 1992,

Having regard to the agreement of the Ministers of the EFTA States, Parties to the EFTA-CSFR Agreement, on 10 December 1992, to take note of the above-mentioned Declaration by the Government of the Czech Republic and to continue to apply the above-mentioned Agreement with regard to the Czech Republic, on an interim basis, as of 1 January 1993,

Having regard to the accession of the Czech Republic as Contracting Party to the GATT in accordance with the terms of the Protocol of accession to become effective on 15 April 1993,

Having regard to the Agreement establishing the customs Union between the Czech Republic and the Slovak Republic, signed in Prague on 29 October 1992,

Have agreed as follows:

ARTICLE 1

1. The Agreement between the EFTA States and the Czech and Slovak Federal Republic shall be applied with regard to the Czech Republic.
2. Any reference in the Agreement, its Annexes and Protocols and related instruments to the "Czech and Slovak Federal Republic" and to the abbreviation "the CSFR" shall be replaced by "the Czech Republic".

ARTICLE 2

1. A Signatory State to the Agreement which has not ratified it before 31 December 1992 may accede to this Protocol by depositing with the Depositary the instrument of accession to this Protocol.
2. In relation to such a State, the Agreement, as amended by this Protocol, shall enter into force on the first day of the second month following the deposit of the instrument of accession.

ARTICLE 3

This Protocol shall enter into force in relation to a Signatory State upon signature provided that the Czech Republic is among such States, unless a Signatory State signs is subject to ratification. In this case, the Protocol shall enter into force in relation to that State upon the deposit of its instrument of ratification.

ARTICLE 4

The Government of Sweden, acting as Depositary, shall notify all States that have signed or acceded to this Protocol of any notification received in accordance with Articles 2 or 3.

DONE at Geneva, this 19th day of April 1993, in a single authentic copy in the English language which shall be deposited with the Government of Sweden. The Depositary shall transmit certified copies to all Signatory States, and States acceding to this Protocol.

For the Republic of Austria

(signature)

For the Czech Republic

(signature)

For the Republic of Finland

(signature)

For the Republic of Iceland

(signature)

For the Kingdom of Norway

(signature)

For the Kingdom of Sweden

(signature)

For the Swiss Confederation

(signature)

PROTOCOL ON THE SUCCESSION BY THE SLOVAK REPUBLIC TO THE
AGREEMENT BETWEEN THE EFTA STATES AND THE CSFR

The Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden, the Swiss Confederation

and

the Slovak Republic,

Having regard to the Agreement between the EFTA States and the Czech and Slovak Federal Republic, signed in Prague on 20 March 1992, which has been ratified by the CSFR and by the above EFTA States,

Having regard to the Constitutional Act on the dissolution of the Czech and Slovak Federal Republic adopted by the Federal Assembly of the Czech and Slovak Federal Republic on 25 November 1992, in particular its Article 1 which provides that the Czech Republic and the Slovak Republic will be successor States to the Czech and Slovak Federal Republic when the latter ceased to exist on 31 December 1992,

Having regard to the Declaration by the Government of the Slovak Republic made on 8 December 1992, in which the Slovak Republic declared that it would, as of 1 January 1993, assume as successor to the Czech and Slovak Federal Republic for its territory, the rights and obligations as State Party to the EFTA-CSFR Agreement of 20 March 1992,

Having regard to the agreement of the Ministers of the EFTA States, Parties to the EFTA-CSFR Agreement, on 10 December 1992, to take note of the above-mentioned Declaration by the Government of the Slovak Republic and to continue to apply the above-mentioned Agreement with regard to the Slovak Republic, on an interim basis, as of 1 January 1993,

Having regard to the accession of the Slovak Republic as Contracting Party to the GATT in accordance with the terms of the Protocol of accession to become effective on 15 April 1993,

Having regard to the Agreement establishing the customs Union between the Czech Republic and the Slovak Republic, signed in Prague on 29 October 1992,

Have agreed as follows:

ARTICLE 1

1. The Agreement between the EFTA States and the Czech and Slovak Federal Republic shall be applied with regard to the Slovak Republic.
2. Any reference in the Agreement, its Annexes and Protocols and related instruments to the "Czech and Slovak Federal Republic" and to the abbreviation "the CSFR" shall be replaced by "the Slovak Republic".

ARTICLE 2

1. A Signatory State to the Agreement which has not ratified it before 31 December 1992 may accede to this Protocol by depositing with the Depositary the instrument of accession to this Protocol.
2. In relation to such a State, the Agreement, as amended by this Protocol, shall enter into force on the first day of the second month following the deposit of the instrument of accession.

ARTICLE 3

This Protocol shall enter into force in relation to a Signatory State upon signature provided that the Slovak Republic is among such States, unless a Signatory State signs is subject to ratification. In this case, the Protocol shall enter into force in relation to that State upon the deposit of its instrument of ratification.

ARTICLE 4

The Government of Sweden, acting as Depositary, shall notify all States that have signed or acceded to this Protocol of any notification received in accordance with Articles 2 or 3.

DONE at Geneva, this 19th day of April 1993, in a single authentic copy in the English language which shall be deposited with the Government of Sweden. The Depositary shall transmit certified copies to all Signatory States, and States acceding to this Protocol.

For the Republic of Austria

(signature)

For the Czech Republic

(signature)

For the Republic of Finland

(signature)

For the Republic of Iceland

(signature)

For the Kingdom of Norway

(signature)

For the Kingdom of Sweden

(signature)

For the Swiss Confederation

(signature)