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Page: 1/2

Committee on Regional Trade Agreements

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**ASSOCIATION AGREEMENT BETWEEN THE UNITED KINGDOM AND TUNISIA,
GOODS**

QUESTIONS AND REPLIES

The following communication, dated 6 September 2022, is being circulated at the request of the delegations of the United Kingdom and Tunisia.

Question from Canada

1.1. Paragraph 4.17: According to the Report, Article 41 of the Agreement provides that the Parties agree to set themselves the objective to "reciprocally and progressively open their procurement markets" [free translation].

Could the Parties please provide a status update on their discussions to mutually open their respective government procurement markets?

Response from the United Kingdom

Discussions on progressively opening procurement markets have not yet commenced.

Response from Tunisia

Tunisia confirms that discussions on progressively opening procurement markets have not been initiated yet.

Questions from Mexico

Provisions on Trade in Goods

1.2. Paragraph 3.50: The Agreement incorporates Articles 25 to 27 of the EU-Tunisia Association Agreement, which permits the Parties to take appropriate safeguard measures for legitimate reasons specified under the Agreement. Article 25 describes the situation when any product originating in a Party is being imported in such increased quantities and under such conditions as to cause or threaten to cause, in the other Party, serious injury to domestic producers of like or directly competitive products, or serious disturbances in any sector of the economy of the other Party. If such a situation arises, the Parties may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 27. While selecting the measures to be applied, priority must be given to those that least disturb the functioning of the Agreement. The Parties agree to hold prior consultations on import surges in a Party by supplying information on trade flow trends to the other Party. The Party that imposes safeguard measures shall immediately notify the Association Committee, which is subject to periodic consultations, particularly with a view to their abolition as soon as circumstances permit. Where exceptional circumstances requiring immediate action make prior information or examination impossible, the Party concerned may apply precautionary measures as are strictly necessary to remedy the situation. In such a case, it shall immediately inform the other Party, and the subsequent notification shall also be made to Association Committee.

- a. Could the Parties please explain what is meant by "serious disturbances"?**
- b. Could the Parties provide some examples of "serious disturbances"?**
- c. Could the Parties also explain, in general terms, the procedure for determining the existence of "serious disturbances"?**

Response from the United Kingdom

If the UK or Tunisia believes that any of the situations set out in Article 25 exists, the Parties will hold consultations to assess the trading relationship before the affected Party seeks to impose a measure.

The interpretation of "serious disturbances" will be assessed on a case-by-case basis by the Parties where relevant.
