

EC/Israel Agreement: Conformity Assessment and Acceptance of Industrial Products (CAA). Protocol to the Euro-Mediterranean Agreement

2009/0155(NLE) - 19/07/2012 - Legislative proposal

PURPOSE: to conclude a Protocol to the Euro-Mediterranean Association Agreement between the EU-Israel on Conformity Assessment and Acceptance of Industrial Products (ACAA).

PROPOSED ACT: Council Decision.

BACKGROUND: the [Euro-Mediterranean Association Agreement](#) establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part came into force on 20 November 1995.

Article 47 of the Association Agreement provides, where appropriate, for the conclusion of a European conformity assessment agreement, and Article 55 of the same Agreement provides for the use of best endeavours to approximate the laws of the Parties.

In this context, a Protocol to the Association on Conformity Assessment and Acceptance of Industrial Products was signed on behalf of the European Union on 6 May 2010.

This Protocol should be approved on behalf of the European Union.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Article 207 of the Treaty on the Functioning of the European Union (TFEU), in conjunction with Article 218(6)(a)(v) and Article 218(7) thereof.

CONTENT: by means of this Decision, it is proposed to conclude a Protocol to the Euro-Mediterranean Association Agreement between the EU and Israel on Conformity Assessment and Acceptance of Industrial Products (ACAA) on behalf of the European Union.

The draft protocol is identical to the proposal that dates from 22/10/2009. For further information on the detailed content of the protocol, please refer to the summary of the initial proposal of October 2009.

Overall, the Protocol seeks to facilitate the market access of each of the partners by eliminating technical barriers to trade in industrial products.

To this end, provision is made in the Protocol for two mechanisms of mutual recognition and mutual acceptance of the products of the partners. The recognition mechanism is set in place involving:

- safeguard clauses for sensitive products;
- a dispute settlement procedure for resolving any problem between the two parties regarding recognition; and
- an information exchange mechanism to facilitate the recognition of the industrial products covered by the Protocol.

Management of the agreement and notification procedure: the Commission shall be responsible for the external representation of the Union for what concerns the Protocol, including the tasks of information and notification, as well as for providing responses to requests in accordance with the Annexes to the Protocol.

The Protocol shall be implemented on the basis of the EU legislation applicable to accreditation, market surveillance and commercialisation of products.

The Commission shall be empowered to make technical amendments to the Protocol.

BUDGETARY IMPLICATION: the proposal has no implication for the European Union budget.