

**DECISION OF THE JOINT COMMITTEE  
OF THE CENTRAL EUROPEAN FREE TRADE AGREEMENT**

**Decision No 2/2012**

**Implementation of Article 52 of the Central European Free Trade Agreement  
after the accession of the Republic of Croatia to the European Union**

**Adopted on 8 November 2012**

The Joint Committee,

Having regard to Annex 1 of the Agreement on the Amendment of and Accession to the Central European Free Trade Agreement, CEFTA 2006 (hereinafter called the "Agreement"), done in Bucharest on 19 December 2006,

Having regard to Article 51 of the Agreement, allowing any eligible Party becoming a member of the European Union to withdraw from the Agreement, and stipulating that the withdrawal shall take place at the latest the day before membership takes effect,

Having regard to the Treaty of Accession of Republic of Croatia to the European Union, allowing it to become the 28<sup>th</sup> Member of the European Union on 1 July 2013 (Accession Treaty),

Having regard to the withdrawal of the Republic of Croatia from the Agreement which will take effect at the latest on 30 June 2013,

Having regard to the status of the Republic of Croatia as the Depositary of the Agreement in accordance with Article 52 of the Agreement and its intention not to remain a depositary upon accession to the European Union,

Whereas,

With a view to prevent any disruption for the proper implementation of the Agreement, the CEFTA Parties should start negotiations to amend Article 52 of the Agreement without delay.

Taking into account that the amendment of Article 52 may not take effect until 1 July 2013 it is necessary to envisage an interim solution in the form of an acting depositary.

Has decided as follows:

### **Article 1**

The Parties agree to amend Article 52 of the Agreement without delay and shall make all necessary efforts to conclude negotiations and fulfil their domestic legal requirements for the entry into force of the amendment at the latest on 1 July 2013.

### **Article 2**

The Parties shall appoint the Republic of Albania as the new Depositary of the Agreement. In case the amendment of Article 52 of the Agreement will not enter into force on 1 July 2013 the Republic of Albania will act as an acting depositary after 1 July 2013, in accordance with Article 25.1(b) of the Vienna Convention on the Law of Treaties regarding provisional application.

This decision shall take effect on the date of its adoption.

Adopted in Tirana on 8 November 2012 in the presence of representatives of:

Republic of Albania

Bosnia and Herzegovina

Republic of Croatia

Republic of Macedonia

Republic of Moldova

Montenegro

Republic of Serbia

The United Nations Interim Administration Mission in Kosovo on behalf of Kosovo in accordance with the United Nations Security Council Resolution 1244.