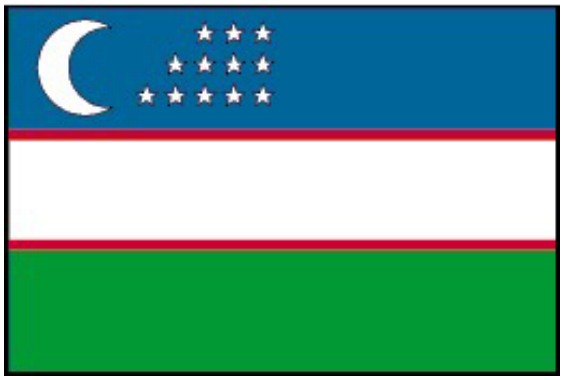
UZBEKISTAN



Council Decision of 16 June 2025 *OJ L, 2025/1296, 1.7.2025*
Agreement, Article 50 *OJ L, 2026/918, 30.04.2026*
MAA provisions *OJ L, 2026/918, 30.04.2026*

COUNCIL DECISION (EU) 2025/1296
of 16 June 2025

on the signing, on behalf of the Union, and provisional application of the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Uzbekistan, of the other part

THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 207(4), first subparagraph and 209(2), first subparagraph, in conjunction with Article 218(5),
Having regard to the proposal from the European Commission,
Whereas:

(1) On 16 July 2018, the Council authorised the opening of negotiations with the Republic of Uzbekistan for an Enhanced Partnership and Cooperation Agreement.

(2) Building upon the desire of the Parties to strengthen and widen relations in an ambitious and innovative way, the negotiation of the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Uzbekistan, of the other part (the 'Agreement') was successfully finalised by the initialling of the Agreement on 6 July 2022.

(3) Therefore, the Agreement should be signed on behalf of the Union.

(4) In view of the need to apply the Agreement before its entry into force following ratification by the Member States, parts of the Agreement should be applied on a provisional basis, pending the completion of the procedures necessary for its entry into force.

(5) The signing of the Agreement on behalf of the Union and the provisional application of parts of the Agreement is without prejudice to the allocation of competences between the Union and its Member States in accordance with the Treaties. The Agreement should be signed on behalf of the Union as regards matters falling within its competence. The Member States retain their competence insofar as the Agreement does not affect common rules or alter their scope.

(6) It is recalled that the principles of sovereignty and territorial integrity of all States, including respect for United Nations Security Council (UNSC) Resolutions 541 (1983) and 550 (1984), constitute international obligations arising from, in particular, membership of the United Nations ('UN'),

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Uzbekistan, of the other part, is hereby authorised on behalf of the Union, subject to the conclusion of the said Agreement (1).

Article 2

Pending its entry into force, in accordance with Article 345 of the Agreement, the

following parts of the Agreement shall be applied on a provisional basis between the Union and the Republic of Uzbekistan from the first day of the second month following the date by which the Union and the Republic of Uzbekistan have notified each other of the completion of the internal procedures necessary for that purpose, together with an indication of those parts of the Agreement which are to be provisionally applied, but only to the extent that they cover matters falling within the Union's competence, including matters falling within the Union's competence to define and implement a common foreign and security policy:

(a) Title I;

(b) Title II: Articles 3, 4, 6 and 9;

(c) Title III: Articles 14(1) and 15(2);

(d) Title IV (with the exception of Articles 26, 75 (to the extent that it concerns criminal enforcement of intellectual property rights), 233 and 234(2) to (4));

(e) Title V: Articles 284, 285, 286, 288, 289 (with the exception of point (b)), 290, 291 (with the exception of (1) (a), (f), and (i)), 292, 306 and 307;

(f) Title VII: Articles 331 to 336;

(g) Title VIII, to the extent that the provisions of that Title are limited to the purpose of ensuring the provisional application of the Agreement;

(h) Title IX, with the exception of Article 347(1) and (2), to the extent that the provisions of that Title are limited to the purpose of ensuring the provisional application of the Agreement; and

(i) Annexes 3, 5-A, 5-B, 5-C, 5-D, 6, 7-A, 7-B, 7-C, 9-A, 12-A, 12-B, 12-C, 12-D, 14-A and 14-B, as well as the Protocol on mutual administrative assistance in customs matters.

Article 3

Where a Member State or the High Representative of the Union for Foreign Affairs and Security Policy (the 'High Representative') considers that an international obligation arising from, in particular, UN membership, including respect for UNSC Resolutions 541 (1983) and 550 (1984), is not fulfilled, that Member State or the High Representative, shall raise the issue within the Council with a view to determining whether to hold consultations under the auspices of the Cooperation Council established by Article 337(1) of the Agreement, pursuant to Article 343(4) of the Agreement.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 16 June 2025.

For the Council
The President
P. HENNIG-KLOSKA

ENHANCED PARTNERSHIP AND COOPERATION AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF UZBEKISTAN, OF THE OTHER PART

[…]
THE EUROPEAN UNION,
of the one part,
and THE REPUBLIC OF UZBEKISTAN,
of the other part,
hereinafter jointly referred to as ‘the Parties’,

[…]

HAVE AGREED AS FOLLOWS:
[…]

CHAPTER 4
CUSTOMS

[…]

ARTICLE 50
Mutual administrative assistance

The Parties shall provide each other with mutual administrative assistance in customs matters in accordance with the Protocol.

PROTOCOL ON MUTUAL ADMINISTRATIVE ASSISTANCE IN CUSTOMS MATTERS

ARTICLE 1

Definitions

For the purposes of this Protocol:

(a) ‘customs legislation’ means any legal or regulatory provision applicable in the territory of either Party, governing the import, export and transit of goods and their placing under any other customs regime or procedure, including measures of prohibition, restriction and control;

(b) ‘applicant authority’ means competent administrative authority which has been designated by a Party for this purpose and which makes a request for assistance on the basis of this Protocol;

(c) ‘requested authority’ means a competent administrative authority which has been designated by a Party for this purpose and which receives a request for assistance on the basis of this Protocol;

(d) ‘information’ means any data, document, image, report, communication or authenticated copy, in any format, including electronic, whether or not processed or analysed;

(e) ‘person’ means any natural or legal person;

(f) ‘personal data’ means any information relating to an identified or identifiable natural person;

(g) ‘breaches of customs legislation’ means any violation or attempted violation of customs legislation.

ARTICLE 2

Scope

1. The Parties shall assist each other in the areas within their competence, in the manner and under the conditions laid down in this Protocol, to ensure the correct application of customs legislation, in particular by preventing, investigating and combating breaches of that legislation.

2. Assistance in customs matters, as provided for in this Protocol, applies to any administrative authority of either Party which is competent for the application of this Protocol. Such assistance shall not prejudice the provisions governing mutual assistance in criminal matters. It shall not cover information obtained under powers exercised at the request of a judicial authority, except where communication of such information is authorised by that authority.

3. Assistance to collect duties, taxes or fines shall not be covered by this Protocol.

ARTICLE 3

Assistance on request

1. At the request of the applicant authority, the requested authority shall provide it with all relevant information which may enable it to ensure that customs legislation is correctly applied, including information related to activities noted or planned which are or could be breaches of customs legislation.

2. At the request of the applicant authority, the requested authority shall inform it whether:

(a) goods exported from the territory of one of the Parties have been properly imported into the territory of the other Party, specifying, where appropriate, the customs procedure applied to the goods;

(b) goods imported into the territory of one of the Parties have been properly exported from the territory of the other Party, specifying, where appropriate, the customs procedure applied to the goods.

3. At the request of the applicant authority, the requested authority shall, within the framework of its legal or regulatory provisions, take the steps necessary to ensure special surveillance of and to provide the applicant authority with information on:

(a) persons in respect of whom there are reasonable grounds for believing that they are or have been involved in committing breaches of customs legislation;

(b) goods that are or may be transported in such a way that there are reasonable grounds for believing that they have been or are intended to be used to commit breaches of customs legislation;

(c) places where stocks of goods have been or may be assembled in such a way that there are reasonable grounds for believing that those goods have been or are intended to be used to commit breaches of customs legislation; and

(d) means of transport that are or may be used in such a way that there are reasonable grounds for believing that they are intended to be used to commit breaches of customs legislation.

ARTICLE 4

Spontaneous assistance

Wherever possible, at their own initiative, the Parties shall assist each other without delay, and in accordance with their legal or regulatory provisions, by providing information on concluded, planned or ongoing activities which constitute or appear to constitute breaches of customs legislation and which may be of interest to the other Party. The information shall focus in particular on:

(a) persons, goods and means of transportation; and

(b) new means or methods employed to commit breaches of customs legislation.

ARTICLE 5

Form and substance of requests for assistance

1. Requests pursuant to this Protocol shall be made in writing on paper or in electronic format. They shall be accompanied by the documents necessary to enable compliance with the request. In case of urgency, the requested authority may accept oral requests, but such oral requests shall be confirmed by the applicant authority in writing immediately.

2. Requests as referred to in paragraph 1 shall include the following information:

(a) the applicant authority and requesting official;

(b) the information and/or type of assistance requested;

(c) the object of and the reason for the request;

(d) the legal or regulatory provisions and other legal elements involved;

(e) information as exact and comprehensive as possible on the persons who are the target of the investigations;

(f) a summary of the relevant facts and of the enquiries already carried out; and

(g) any additional available details to enable the requested authority to comply with the request.

3. Requests shall be submitted in an official language of the requested authority or in a language acceptable to that authority, English always being an acceptable language. This requirement does not apply to any documents that accompany the request under paragraph 1.

4. If a request does not meet the formal requirements set out in paragraphs 1 to 3, the requested authority may require the correction or the completion of the request; in the meantime, precautionary measures may be ordered.

ARTICLE 6

Execution of requests

1. In order to comply with a request for assistance, the requested authority shall proceed, within the limits of its competence and available resources, as though it were acting on its own account or at the request of another authority of that same Party, by supplying information already in its possession, by carrying out appropriate enquiries or by arranging for them to be carried out.

2. Paragraph 1 shall also apply to any other authority to which the request has been addressed by the requested authority where the latter cannot act on its own.

3. Requests for assistance shall be executed in accordance with the legal or regulatory provisions of the requested Party.

ARTICLE 7

Form in which information is to be communicated

1. The requested authority shall communicate results of enquiries to the applicant authority in writing, together with relevant documents, certified true copies or other items. Such information may be provided in electronic format.

2. Original documents shall be transmitted in accordance with each Party's legal or regulatory provisions, only at the request of the applicant authority, in cases where certified true copies would be insufficient. The applicant authority shall return such original documents at the earliest opportunity.

3. In the case of transmission under paragraph 2, the requested authority shall deliver to the applicant authority, any information related to the authenticity of the documents issued or certified by official agencies within its territory in support of a goods declaration.

ARTICLE 8

Presence of officials of a Party in the territory of the other Party

1. Duly authorised officials of a Party may, with the agreement of the other Party and subject to the conditions laid down by the latter, be present in the offices of the requested authority or any other authority concerned referred to in Article 6(1) in order to obtain information relating to activities that are or could be breaches of customs legislation, that the applicant authority needs for the purposes of this Protocol.

2. Duly authorised officials of a Party may, with the agreement of the other Party and subject to the conditions laid down by the latter, be present at enquiries carried out in the latter's territory.

3. The presence of officials of a Party in the territory of the other Party shall solely be in an advisory capacity. While present in the territory of the other Party, such officials shall:

(a) be able to furnish proof of their official capacity;

(b) not wear uniform, nor carry weapons; and

(c) enjoy the same protection as that afforded to officials of the other Party, in accordance with the legal and regulatory provisions applicable in the territory of the other Party.

ARTICLE 9

Delivery and notification

1. At the request of the applicant authority, the requested authority shall, in accordance with the legal and regulatory provisions applicable to that authority, take all necessary measures in order to deliver any documents or to notify any decisions of the applicant authority that fall within the scope of this Protocol, to a person residing or established in the territory of the requested authority.

2. Requests for the delivery of documents or the notification of decisions as referred to in paragraph 1 shall be made in writing in an official language of the requested authority or in a language acceptable to that authority.

ARTICLE 10

Automatic exchange of information

1. The Parties may, by mutual arrangement in accordance with Article 15 of this Protocol:

(a) exchange any information covered by this Protocol on an automatic basis;

(b) exchange specific information in advance of the arrival of consignments in the territory of the other Party.

2. In order to implement the exchanges referred to in paragraph 1, the Parties will establish arrangements on the type of information they wish to exchange and on the format and the frequency of transmission.

ARTICLE 11

Exceptions to the obligation to provide assistance

1. Assistance may be refused or may be subject to the satisfaction of certain conditions or requirements in cases where a Party is of the opinion that assistance under this Protocol would:

(a) be likely to prejudice the sovereignty of the Republic of Uzbekistan or that of a Member State which has been requested to provide assistance under this Protocol;

(b) be likely to prejudice public policy, security or other essential interests, in particular in the cases referred to in Article 12(5) of this Protocol; or

(c) violate an industrial, commercial or professional secret.

2. The requested authority may postpone assistance on the grounds that such assistance would interfere with ongoing investigations, prosecutions or proceedings. In such a case, the requested authority shall consult with the applicant authority to determine whether assistance can be given subject to such terms or conditions as the requested authority may require.

3. Where the applicant authority seeks assistance which it would itself be unable to provide if so requested, it shall draw attention to that fact in its request. It shall then be for the requested authority to decide how to respond to such a request.

4. In the cases referred to in paragraphs 1 and 2, the requested authority shall communicate its decision and the reasons therefor to the applicant authority without delay.

ARTICLE 12

Information exchange and confidentiality

1. The information received under this Protocol shall be used solely for the purposes of this Protocol.

2. The use of information obtained under this Protocol in administrative or judicial proceedings instituted in respect of breaches of customs legislation is considered to be for the purposes of this Protocol. Therefore, the Parties may use information obtained and documents consulted in accordance with the provisions of this Protocol as evidence in their records of evidence, reports and testimonies and in proceedings and charges brought before the courts. The requested authority may subject the supply of information or the granting of access to documents to the condition that it be notified of such use.

3. Where one of the Parties wishes to use information obtained under this Protocol for other purposes, it shall obtain the prior written consent of the authority which provided that information. Such use shall then be subject to any restrictions laid down by that authority.

4. Any information communicated in whatsoever form pursuant to this Protocol shall be of a confidential or restricted nature, in accordance with the laws and regulations applicable in the territory of each Party. That information shall be covered by the obligation of professional secrecy and shall enjoy the protection granted to similar information under the relevant laws and regulations of the receiving Party. The Parties shall communicate to each other information on their applicable laws and regulations.

5. Personal data may be transferred only in accordance with the data protection rules of the Party providing the data. Each Party will inform the other Party of the relevant data protection rules and, if needed, make best efforts to agree on additional protections.

ARTICLE 13

Experts and witnesses

The requested authority may authorise its officials to appear, within the limitations of the authorisation granted, as experts or witnesses in judicial or administrative proceedings regarding the matters covered by this Protocol, and produce such objects, documents or certified true copies thereof, as may be needed for the proceedings. The request for appearance must indicate specifically before which judicial or administrative authority the official will have to appear, on what matters and by virtue of what title or qualification the official will be questioned.

ARTICLE 14

Assistance expenses

1. Subject to paragraphs 2 and 3, the Parties shall waive any claims on each other for reimbursements of expenses incurred in the implementation of this Protocol.

2. Expenses and allowances paid to experts, witnesses, interpreters and translators, other than public

service employees, shall be borne as appropriate by the requesting Party.

3. If expenses of an extraordinary nature are required to execute a request, the Parties shall determine the terms and conditions under which the request is to be executed, as well as the manner in which such costs shall be borne.

ARTICLE 15

Implementation

1. The implementation of this Protocol shall be entrusted on the one hand to the customs authorities of the Republic of Uzbekistan and on the other hand to the competent services of the European Commission and the customs authorities of the Member States. They shall decide on all practical measures and arrangements necessary for the implementation of this Protocol, taking into consideration their respective applicable laws and regulations, in particular those for the protection of personal data.

2. The Parties shall, as necessary, keep each other informed of the detailed implementation measures which are adopted by each Party in accordance with this Protocol, in particular with respect to the duly authorised services and officials designated as competent to send and receive the communications laid down in this Protocol.

3. In the European Union, this Protocol shall be without prejudice to the communication of any information obtained under this Protocol between the competent services of the European Commission and the customs authorities of the Member States.

ARTICLE 16

Other agreements

This Protocol shall take precedence over any bilateral agreement on mutual administrative assistance in customs matters which has been or may be concluded between individual Member States and the Republic of Uzbekistan insofar as the latter is incompatible with this Protocol.

ARTICLE 17

Consultations

In respect of the interpretation and implementation of this Protocol, the Parties shall consult each other as necessary in the framework of the Cooperation Committee set up under Article 338 of this Agreement.