COMMISSION OF THE EUROPEAN COMMUNITIES

COM(91) 33 final

Brussels, 13 February 1991

Proposal for a

COUNCIL DECISION

authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries

(presented by the Commission)

EXPLANATORY MEMORANDUM

Pursuant to Article 3 of the Council Decision of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on negotiation of Community agreements, (1) the Commission is proposing to the Council that the Member States be authorized to extend or tacitly renew the trade agreements annexed to the attached proposal for a Council decision.

The agreements in question constitute the 4th batch for 1990 and expire or are due to be terminated between 1.11.1990 and 31.1.1991.

The prior consultation specified in Article 2 of the Decision was executed by written procedure. The outcome was the recognition on 20.10.1990 that the conditions under which the agreements could be extended for a further year had been fulfilled.

The Commission finds that the extension of the agreements has no implications for SMEs or for employment.

The list still includes certain agreements with EFTA countries which, in accordance with the understanding reached within the Working Party on EFTA, should be revised by the Member States concerned.

The Member State concerned has informed the Commission that the review of these agreements will soon be completed, but that there is not enough time remaining before expiry to finalize the updating. The Commission therefore considers that a futher extension of these agreements is required.

The Commission would also point out that the proposals authorizing the Member States to renew or extend certain agreements in this batch for a further year in no way prejudice its position the next time these agreements come up for renewal.

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(1) OJ L 326, 29.12.1969, p. 39.

COUNCIL DECISION
of

authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements [1], and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

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(1) OJ No L 326, 29.12.1969, p. 39.

Whereas extension or tacit renewal beyond the end of the transitional period was last authorized in the case of the Agreements and Protocols listed in the Annex by Decision / /EEC [1];

Whereas the Member States concerned have, with a view to avoiding any disruption of their commericial relations with third countries concerned based on Agreement, requested authorizatioin to extend or renew the abovementioned Agreements;

Whereas, however, most of the areas covered by these national Agreements are henceforth the subject of Community Agreements; whereas in this situation, there should be authorization for the maintenance of national Agreements only for those areas not covered by Community Agreements; whereas, in addition, such authorization should not, therefore, adversely affect the obligation incumbent upon the Member States to avoid and, where appropriate, to eliminate any incompatibility between such Agreements and the provisions of Community law;

Whereas the provisions of the Agreements to be either prolonged or renewed should not furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these Agreements would neither constitute an obstacle to the opening of Community negotiations with the third countries concerned and the transfer of the commerical substance of those Agreements to Community Agreements nor, during the period under consideration, hinder the adoption of the measures necessary to complete the standardization of the import arrangements of the Member States;

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(1) OJ No L , , p.

Whereas at the conclusion of the consultations provided for in Article 2 of Decision 69/494/EEC it was established, as the aforesaid declarations by the Member States concerned confirm, that the provisions of the Agreements to be extended or renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the Agreements concerned may be either extended or tacitly renewed for a limited period,

HAS ADOPTED THIS DECISION:

Article 1

The Trade Agreements and Protocols between Member States and third countries, as listed in the Annex hereto, may be extended or tacitly renewed up to the dates indicated for each of them for those areas not covered by Agreements between the Community and the third countries concerned and insofar as their provisions are not contrary to existing common policies.

Article 2

This Decision is addressed to the Member States.

Done at Brussels,

For the Council

The President

(s.)

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Estado miembro / Medlemsstat / Mitgliedstaat / Κράτος μέλος / Member State / État membre / Stato membro / Lid-Staat / Estado-membro	País tercero / Tredjeland / Drittland / Τρίτη χώρα / Third country / Pays tiers / Paese terzo / Derde land / País terceiro	Naturaleza y fecha del Acuerdo / Aftalens art og datering / Art und Datum des Abkommens / Φύση και ημερομηνία της συμφωνίας / Type and date of Agreement / Nature et date de l'accord / Natura e data dell'accordo / Aard en datum van het akkoord / Natureza e data do acordo	Prorrogado o tacitamente reconducido hasta el / Udløb efter forlængelse eller stiltiende videreførelse / Ablauf nach Verlängerung oder stillschweigender Verlängerung / Ημερομηνία λήξεως κατόπιν της παρατάσεως ή της σιωπηρής ανανεώσεως / Prolonged or tacitly renewed until / Échéance après prorogation ou tacite reconduction / Scadenza dopo la proroga o il tacito rinnovo / Vervaldatum na al dan niet stilzwijgende verlenging / Prorrogado ou tacitamente renovado até
BENELUX	Tunisie/ Tunesië	Accord commercial/ Handelsakkoord 1. 8. 1958	31. 3. 1992
DANMARK	Schweiz	Vareudvekslingsaftale 15. 9. 1951	31. 12. 1991
DEUTSCHLAND	Indonesien	Handelsabkommen vom 22. 4. 1953	31. 3. 1992
	Südkorea	Handelsabkommen vom 8. 4. 1965	7. 4. 1992
ΕΛΛΑΔΑ	Αίγυπτος	Εμπορική συμφωνία 1. 1. 1979	1. 1. 1992
	Μαρόκο	Εμπορική συμφωνία 1. 11. 1961	1. 11. 1991
	Τουρκία	Εμπορική συμφωνία 7. 11. 1953	7. 11. 1991
	Ινδία	Εμπορική συμφωνία 31. 1. 1973	31. 1. 1992
	Ισραήλ	Εμπορική συμφωνία 30. 1. 1969	30. 1. 1992
	Πακιστάν	Εμπορική συμφωνία 17. 1. 1963	17. 1. 1992
ESPAÑA	Camerún	Acuerdo comercial 4. 2. 1964	4. 2. 1992
	Chile	Convenio comercial y de cooperación económica 9. 3. 1977	2. 3. 1992
	Gabón	Acuerdo de cooperación económica y comercial 6. 2. 1976	6. 2. 1992
	Jordania	Acuerdo comercial 16. 12. 1980	16. 12. 1991
	Túnez	Acuerdo comercial 20. 4. 1961	20. 4. 1992

FRANCE	Afrique du Sud (1)	Échanges de lettres	18. 4. 1964	31. 12. 1991
	Corée du Sud	Échange de lettres	12. 3. 1963	31. 3. 1992
	Inde (1)	Accord commercial et échange de lettres	19. 10. 1959	31. 12. 1991
	Liban	Accord commercial	25. 3. 1955	10. 4. 1992
ITALIA	Corea del Sud	Accordo commerciale	9. 3. 1965	8. 3.1992
	El Salvador	Accordo commerciale	30. 3. 1953	31. 3.1992
		Protocollo addizionale	21. 12. 1955	
	Indonesia	Accordo commerciale	23. 3. 1951	31. 3.1992
	Iran	Scambio di note	29. 1. 1958 23. 3. 1961	9. 2.1992
	Israele	Accordo commerciale	5. 3. 1954	
		Scambio di lettere	5. 1. 1956	
		Processi verbali	21. 10. 1956 11. 2. 1964	31. 3.1992
	Iugoslavia	Accordo commerciale	1. 7. 1967	
		Protocollo e scambio di note successivo	30. 4. 1969	31. 12. 1991
	Repubblica dominicana	Accordo commerciale	18. 2. 1954	11. 3. 1992
PORTUGAL	Cabo Verde	Acordo comercial	20. 4. 1980	20. 4. 1992
	Egipto	Acordo comercial	20. 3. 1983	20. 3. 1992
	Moçambique	Acordo comercial	25. 5. 1981	25. 5. 1992
	São Tomé e Príncipe	Acordo comercial	17. 7. 1978	17. 7. 1992
	Tanzânia	Acordo comercial	30. 7. 1975	30. 7. 1992

(1) Prorogation par échange de notes.

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