

# COMMISSION OF THE EUROPEAN COMMUNITIES

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Draft

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

OF THE EUROPEAN COAL AND STEEL COMMUNITY,

MEETING WITHIN THE COUNCIL

establishing transitional measures for trade  
between the Republic of Austria,  
the Republic of Finland and the Kingdom of Sweden, on the one hand  
and the African, Caribbean and Pacific States,  
on the other in products falling within the ECSC Treaty

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## EXPLANATORY MEMORANDUM

The Commission, acting on a mandate from the Council, has opened negotiations with the ACP countries for the conclusion of a protocol for the accession of Austria, Finland and Sweden to the fourth ACP-EEC Convention. In accordance with Articles 76, 102 and 128 of the Act of Accession, that protocol must enter into force on the day of accession, namely on 1 January 1995.

Given the limited time available, however, it is very unlikely that the protocol could actually enter into force on 1 January next year. Autonomous Community measures are therefore needed to fill the legal vacuum that would be created if there were, on the date of accession, no legal act providing for the application to the new Member States of the fourth Lomé Convention' trade provisions regarding products covered by the ECSC Treaty.

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THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF  
THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE  
COUNCIL,

Whereas the Member States have concluded the Treaty establishing the European Coal and Steel Community;

Whereas, pursuant to articles 76 (2), 102 (2) and 128 (2) of the Act of Accession, the Community and the ACP States opened negotiations for the conclusion of a protocol to adapt the Fourth ACP-EEC Convention to take account of the accession of Austria, Finland and Sweden to the European Union;

Whereas Articles 76 (3), 102 (3) and 128 (3) of the Act of Accession provide that if such a protocol has not been concluded by 1 January 1995, the Community shall take the necessary measures to deal with that situation on accession;

Whereas it appears that the protocol will not be concluded by the specified date and that, in these conditions, autonomous transitional measures must be taken in order for the new Member States to apply the trade provisions of the Fourth ACP-EEC Convention as from 1 January 1995;

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

From 1 January 1995 until the entry into force of the protocol referred to in Articles 76, 102 and 128 of the Act of Accession or until 31 December 1995, whichever is earlier, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden shall apply to imports originating in the ACP States of products falling within the ECSC Treaty the same arrangements as are applied by the other Member States of the Community.

Article 2

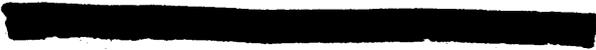
The Member States shall take the measures necessary to implement this Decision.

Article 3

This Decision shall be published in the Official Journal of the European Communities.

It shall take effect on the day of its publication and apply as from 1 January 1995.

Done at Brussels, .....



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# DOCUMENTS

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