

COMMISSION OF THE EUROPEAN COMMUNITIES

COM (89) 174 final

Brussels, 21 April 1989

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 second batch for 1989 and expire or are due to be terminated between 1 May 1989 and 31 July 1989.

The prior consultation specified in Article 2 of the Decision was executed by written procedure. The outcome was the recognition on 13 March 1989 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 includes the following agreement with an EFTA country which, in accordance with the understanding reached within the Working Party on EFTA, should be revised by the Member State concerned:

- Italy-Switzerland agreement of 21.10.1950 (expires 31.10.1989)

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

1 OJ L 326, 29.12.1969, p. 39.

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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,

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 88/360/EEC ⁽²⁾;

Whereas the Member States concerned have, with a view to avoiding any disruption of their commercial relations with third countries concerned based on Agreement, requested authorization to extend or renew the above-mentioned 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 commercial 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;

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 in so far 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

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 174, 6.7.1988, p. 52

Estado miembro	Pais tercero	Naturaleza y fecha del Acuerdo	Prorrogado o tácitamente reconducido hasta el	
Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller stiltiende videreførelse	
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung oder stillschweigender Verlängerung	
Κράτος μέλος	Τρίτη χώρα	Φύση και ημερομηνία της συμφωνίας	Ημερομηνία λήξης κατόπιν της παρατάσεως ή της συνεπείας ανανέωσης	
Member State	Third country	Type and date of Agreement	Prolonged or tacitly renewed until	
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou tacite reconduction	
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il tacito rinnovo	
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na al dan niet stilzwijgende verlenging	
Estado-membro	Pais terceiro	Natureza e data do acordo	Prorrogado ou tácitamente renovado até	
(1)	(2)	(3)	(4)	
BENELUX	Israël	Accord commercial/Handelsakkoord	29. 8. 1958	31. 8. 1990
	Philippines/ Filippijnen	Accord commercial/Handelsakkoord	14. 3. 1967	11. 10. 1990
ITALIA	Cuba	Scambio di note	9. 9. 1950	8. 9. 1990
	India	Accordo commerciale e scambio di lettere	6. 10. 1959	30. 6. 1990
			7. 7. 1964	
	Libano	Accordo commerciale	4. 11. 1955	10. 9. 1990
	Svizzera	Accordo commerciale	21. 10. 1950	31. 10. 1990
Yemen	Protocollo addizionale (al trattato d'amicizia e di relazioni economiche del 4. 9. 1937)	5. 10. 1959	31. 12. 1990	
DANMARK	Cameroun	Handelsaftale	8. 10. 1962	7. 10. 1990
DEUTSCHLAND	Ekvador	Handelsabkommen	1. 8. 1953	15. 10. 1990
	Kolumbien	Handelsabkommen	9. 11. 1957	10. 11. 1990
ΕΛΛΑΔΑ	Βραζιλία	Εμπορική συμφωνία	9. 6. 1975	2. 7. 1990
	Αιθιοπία	Εμπορική συμφωνία	22. 6. 1959	22. 6. 1990
	Αίθιοπία	Εμπορική συμφωνία	3. 7. 1958	2. 5. 1990
	Λιβερία	Εμπορική συμφωνία	29. 6. 1973	29. 6. 1990
	Λιβύη	Εμπορική συμφωνία	16. 3. 1957	23. 5. 1990
	Μεξικό	Εμπορική συμφωνία	12. 4. 1960	20. 6. 1990
	Ιράκ	Εμπορική συμφωνία	26. 4. 1956	1. 5. 1990
ESPAÑA	El Salvador	Acuerdo Comercial	2. 12. 1982	23. 9. 1990
	Nicaragua	Convenio de Cooperación Económica	4. 3. 1974	2. 9. 1990
	Senegal	Acuerdo Comercial	15. 11. 1978	3. 10. 1990

(1)	(2)	(3)	(4)	
PORTUGAL	Argélia	Acordo Comercial	16. 6. 1976	15. 6. 1990
	Brasil	Acordo de Comércio	7. 9. 1966	6. 9. 1990
	México	Acordo Económico e Comercial	28. 8. 1980	27. 8. 1990
	Guiné-Bissau	Acordo Comercial	13. 1. 1978	12. 1. 1990
	Marrocos	Acordo Comercial	28. 1. 1977	27. 1. 1990
	Zimbabwe	Acordo Comercial	10. 9. 1982	9. 9. 1990
UEBL/BLEU	Mexique/Mexico	Accord commercial/Handelsakkoord	16. 9. 1950	11. 9. 1990
UNITED KINGDOM	Haiti	Exchange of letters for the establishment of a commercial <i>Modus vivendi</i>	25. 2. 1928	31. 12. 1990

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