

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 70 final

Brussels, 25 February 1981

Proposal for a
COUNCIL REGULATION

on the trade arrangements applicable to African, Caribbean
and Pacific States which failed to ratify the Second
ACP-EEC Convention of Lomé by 1 January 1981

(submitted to the Council by the Commission)

COM(81) 70 final

EXPLANATORY MEMORANDUM

Article 183 of the second Lomé Convention, signed on 31 October 1979, stipulates that the Convention "shall enter into force on the first day of the second month following the date of deposit of the instruments of ratification of the Member States and of at least two-thirds of the ACP States, and of the act of notification of the conclusion of the Convention by the Community". These conditions were met at the end of November 1980 and the Convention entered into force on 1 January 1981.

The same Article also specifies the date as from which the Convention becomes applicable to those ACP States which have not completed the above procedures before the date of entry into force, namely, "the first day of the second month following the completion of the said procedures".

Some ACP States to which this applies cannot therefore be covered by the Convention's provisions in respect of them, particularly with regard to Chapters 1 and 2, with the result that products originating in those states should, upon entry into the Community, be subject to the import arrangements applicable under ordinary law.

As the instruments of ratification may be deposited by these states at any time, application by the Community of third-country arrangements to such products would give rise to temporary disturbances which would needlessly complicate life for Community firms and the customs administrations. It is in order to avoid such difficulties that the Commission proposes that the Council adopt the following regulation.

..!..

Proposal for a
COUNCIL REGULATION

on the trade arrangements applicable to African, Caribbean
and Pacific States which failed to ratify the Second
ACP-EEC Convention of Lomé by 1 January 1981

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the EEC, and in particular
Article 113 thereof,

Having regard to the proposal of the Commission,

Whereas the Second ACP-EEC Convention¹ signed at Lomé on 31 October
1979 entered into force on 1 January 1981;

Whereas, in order not to disrupt trade patterns, the trade arrangements
provided for in the said Convention should be implemented autonomously
in respect of certain ACP States to which the Convention cannot be applied as
from 1 January 1981,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 30 June 1981 the trade arrangements applicable to the
ACP States listed in the Annex which have not completed the procedures
referred to in Article 182 of the convention shall be as set out in
Chapters 1 and 2 of Title I of the Convention as well as in Council
Regulation (EEC) No 435/80² as last amended by Regulation No 3486/80³.

However, the trade arrangements between the States listed in the Annexes
hereto and Greece are those set out in Council Regulation (EEC) No /81⁴.

¹OJ No L 347, 22.12.1980, p. 1

²OJ No L 55, 28.2.1980, p. 4

³OJ No L 365, 31.12.1980, p. 2

⁴OJ No L

2

Article 2

This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

List of ACP States which have not yet deposited their instruments
of ratification under the Lomé Convention :

Nigeria

Tchad

Djibouti

Mauritania