

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 268 final

Brussels, 16 June 1978

Proposal for a  
COUNCIL DECISION (EEC)

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

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(submitted to the Council by the Commission)

COM(78) 268 final



## EXPLANATORY MEMORANDUM

1. In implementation of Article 3 of the Council Decision of 16 December 1969 (1) on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on negotiation of Community agreements, the Commission proposes to the Council that the Member States should be authorized to extend, expressly or tacitly, the trade agreements annexed to the attached proposal for a Council decision. The agreements in question constitute the third batch for 1978 and expire or due to be terminated between 1 August and 31 October 1978.

The prior consultation specified in Article 2 of this Decision was executed by written procedure. The outcome was the recognition on 16 May 1978 that the Federal Republic of Germany has denounced its agreement of 20.12.1950 with Norway and its agreement of 02.12.1954 with Switzerland, and that the conditions under which the other agreements could be extended for a further year had been fulfilled.

2. The Commission considers it appropriate to point out, moreover, that the proposals for authorizing the Member States to renew or extend, expressly or tacitly, certain agreements in this batch for a further one-year period are by no means indicative of any position it might adopt next time these agreements come up for renewal.

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(1) OJ n° L 326 of 29.12.1969, p. 39

Proposal for a  
COUNCIL DECISION

authorizing<sup>1</sup> prolongation or tacit renewal of certain trade  
agreements concluded between the 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 the Council Decision 69/494/EEC of 16 December 1969 (1) on  
the progressive standardization of agreements concerning commercial relations  
between Member States and third countries and on the negotiations of Community  
Agreements, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas tacit extension beyond the end of the transitional period has already  
been authorized in the case of the Agreements listed in the Annex hereto by  
the Council under its Decisions of 28 January 1969 (2), 26 June 1969 (3), 30 June  
1969 (4), 15 September 1969 (5), 17 October 1969 (6), 8 December 1969 (7),  
20 December 1969 (8), 6 February 1970 (9), 8 June 1970 (10), 13 July 1970 (11),  
29 September 1970 (12), 23 November 1970 (13), 25 October 1971 (14), 18 October  
1972 (15), 22 October 1973 (16), 2 October 1974 (17), 16 September 1975 (18)  
and 20 September 1976 (19), and 18 July 1977 (20);

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- (1) O.J. No. L 326, 29.12.1969, p. 39.
  - (2) O.J. No. L 43, 20.02.1969, p. 15.
  - (3) O.J. No. L 159, 01.07.1969, p. 20.
  - (4) O.J. No. L 169, 10.07.1969, p. 2.
  - (5) O.J. No. L 238, 23.09.1969, p. 9.
  - (6) O.J. No. L 266, 24.10.1969, p. 32.
  - (7) O.J. No. L 323, 24.12.1969, p. 10.
  - (8) O.J. No. L 6, 09.01.1970, p. 1.
  - (9) O.J. No. L 36, 14.02.1970, p. 29.
  - (10) O.J. No. L 133, 18.06.1970, p. 14.
  - (11) O.J. No. L 157, 18.07.1970, p. 29.
  - (12) O.J. No. L 225, 12.10.1970, p. 24.
  - (13) O.J. No. L 262, 03.12.1970, p. 18.
  - (14) O.J. No. L 248, 09.11.1971, p. 7.
  - (15) O.J. No. L 250, 06.11.1972, p. 1.
  - (16) O.J. No. L 301, 30.10.1973, p. 30.
  - (17) O.J. No. L 276, 11.10.1974, p. 37.
  - (18) O.J. No. L 247, 23.09.1975, p. 29.
  - (19) O.J. No. L 270, 02.10.1976, p. 26.
  - (20) O.J. No. L 197, 04.08.1977, p. 26.

Whereas the Member States concerned have, with a view to avoiding interruption in their commercial relations with the third countries concerned based on agreement, requested authorization to prolong or renew the abovementioned Agreements;

Whereas authorization has to be granted only to maintain commercial relations between the Member States and the third countries concerned on the basis of Agreements, pending their replacement by Community agreements to be negotiated; whereas 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 instruments to be either prolonged or renewed would 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 prolongation or tacit renewal of these Agreements would not constitute an obstacle either to the opening of Community negotiations with the third countries concerned or to the transfer of the commercial fabric thereof to Community Agreements, nor would it, during the period under consideration, hinder the adoption of the measures necessary to complete the standardisation of the import arrangements applied by the various Member States;

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

Whereas, in the circumstances, the Agreements concerned may be either prolonged or tacitly renewed for a period not exceeding one year,

HAS ADOPTED THIS DECISION :

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Article 1

The trade agreements between the Member States and third countries listed in the Annex hereto may be prolonged or tacitly renewed until the dates specified in each case in the said Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels,

For the Council,  
The President,

BILAG - ANHANG - ANNEX - ANNEXE - ALLEGATO - BIJLAGE

Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller videreførelse	
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung	
Member State	Third country	Type and date of Agreement	Prolonged or renewed until	
Etat membre	Pays tiers	Nature et date de l'Accord	Echéance après prorogation ou reconduction	
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il rinnovo	
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na verlenging	
BENELUX	Grèce	Accord commercial	9. 3.1960	31. 1.1980
	Japon	Accord commercial	8.10.1960	} 31.12.1979
		Protocoles et agréés minutes	13. 4.1963	
		Echange de lettres	30. 4.1963	
DANMARK	Argentina	Handels- og betalingsaftale	25.11.1957	31.12.1979
	Elfenbenskysten	Handelsaftale	23.11.1966	9. 1.1980
	Irak	Handelsaftale	13. 1.1960	13. 1.1980
	Israel	Handelsaftale	13.11.1952	13.11.1979
	Østrig	Vareudvekslingsaftale	29.11.1948	28.11.1979
	Portugal	Vareudvekslingsaftale	2. 6.1950	31.12.1979
DEUTSCHLAND	Arabische Republik Ägypten	Abkommen über den Warenverkehr	18. 2.1956	31.12.1979
	Argentinien	Handels- und Zahlungsabkommen	25.11.1957	31.12.1979
	Äthiopien	Wirtschafts- und Handelsabkommen	21. 4.1964	31.12.1979
	Australien	Liste der Einfuhrkontingente		31.12.1979
	Brasilien	Handelsabkommen	1. 7.1955	31.12.1979

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DEUTSCHLAND (Fortsetzung)	Chile	Protokoll über Handels- und Zahlungsverkehr	2.11.1956	31.12.1979
	Dahome	Wirtschaftsabkommen	19. 6.1961	31.12.1979
	Elfenbeinküste	Wirtschaftsabkommen	18.12.1961	31.12.1979
	Finnland	Notenwechsel	3.12.1969	2.12.1979
	Gabun	Wirtschaftsabkommen	11. 7.1962	31.12.1979
	Guinea	Wirtschaftsabkommen	19. 4.1962	31.12.1979
	Irak	Handelsabkommen	7.10.1951	13. 1.1980
	Japan	Handelsabkommen	1. 7.1960	31.12.1979
	Kamerun	Handelsabkommen	8. 3.1962	31.12.1979
	Kenia	Wirtschafts- und Handelsabkommen	4.12.1964	31.12.1979
	Kongo	Wirtschaftsabkommen	30.10.1962	31.12.1979
	Madagaskar	Wirtschaftsabkommen	6. 6.1962	31.12.1979
	Marokko	Handelsabkommen und Briefwechsel Protokoll	15. 4.1961	31.12.1979
			20. 1.1964	
	Neuseeland	Handelsabkommen	20. 4.1959	31.12.1979
	Niger	Wirtschaftsabkommen	14. 6.1961	31.12.1979
	Nigeria	Handelsabkommen	25. 3.1963	31.12.1979
	Österreich	Handelsabkommen Briefwechsel und Protokoll	13. 5.1954	31.12.1979
			21. 1.1963	
	Obervolta	Wirtschaftsabkommen	8. 6.1961	31.12.1979
	Pakistan	Handelsabkommen und Protokoll	9. 3.1957	31.12.1979
	Paraguay	Handelsabkommen	25. 7.1955	31.12.1979
	Schweiz		Zusatzprotokolle 13.9.1977	31.12.1979
	Sambia	Wirtschaftsabkommen	10.12.1966	31.12.1979
	Sierra Leone	Wirtschaftsabkommen	13. 9.1963	31.12.1979
	Somalia	Handelsabkommen	19. 1.1962	31.12.1979
	Sri Lanka	Handelsabkommen	1. 4.1955	31.12.1979
	Südafrika	Liste der Einfuhrkontingente		31. 8.1979
	Tansania	Handels- und Wirtschafts- abkommen	6. 9.1962	31.12.1979



DEUTSCHLAND (Fortsetzung)	Tschechien	Wirtschaftsabkommen	31. 5.1963	31.12.1979	
	Tunesien	Handelsabkommen und Zusatzprotokoll	29. 1.1960 22.12.1963	31.12.1979	
	Uganda	Handelsabkommen	17. 3.1964		31.12.1979
	Zentralafrikanische Republik	Wirtschaftsabkommen	29.12.1962	31.12.1979	
	Zypern	Handelsabkommen	30.10.1961	31.12.1979	
FRANCE	Argentine	Accord commercial et de paiement	25.11.1957	31.12.1979	
	Österreich	Accord commercial et protocole	26. 7.1963	31.12.1979	
	Spanien	Accord commercial	27.11.1963	31.10.1979	
	Iran	Accord commercial et échange de lettres	4. 6.1959 28. 2.1969	31.12.1979	
	Island	Accord économique	6.12.1951		31.12.1979
	Israel	Accord commercial Protocole Echange de lettres	10. 7.1953 16. 1.1967 24.12.1968	31.12.1979	
	Japan	Accord commercial et protocole Protocole	14. 5.1963		10. 1.1980
			26. 7.1966		
	Mexico	Accord commercial	11. 7.1950	28.11.1979	
	Norvège	Accord commercial Protocole Echange de lettres	3. 7.1951	31.12.1979	
			2. 4.1960		
			6. 2.1964		
	Portugal	Arrangement commercial	25.3.1951	31.12.1979	
	Suède	Accord commercial	3. 3.1949	31.12.1979	
	Suisse	Accord commercial	21.11.1967	31.12.1979	
Turquie	Accord commercial	31. 8.1946	31.12.1979		
Yougoslavie	Accord commercial Protocole	25. 1.1964	31.12.1979		
		6. 5.1970			
IRELAND	Norway	Trade Agreement	2. 7.1951	31.12.1979	
ITALIA	Afganistan	Accordo commerciale	10.12.1960	23.11.1979	
	Argentina	Accordo commerciale e scambio di note	25.11.1957	31.12.1979	
	Canada	Modus vivendi commer- ciale	28. 4.1948	31.12.1979	

ITALIA	Costa Rica	Modus vivendi commerciale e scambio di note	20. 2.1953 23. 6.1953	}	12.11.1979	
	Giappone	Agreed minutes	31.12.1969			}
	Guatemala	Modus vivendi commerciale	6. 6.1936	}	31.12.1979	
	Irak	Accordo commerciale	30. 9.1963			}
	Malta	Accordo commerciale	28. 7.1967	}	31.12.1979	
	Marocco	Accordo commerciale Protocollo	28. 1.1961 24. 2.1963			}
	Messico	Accordo commerciale Protocollo Scambio di note	15. 9.1949 28.10.1963 20. 7.1963	}	31.12.1979	
	Pakistan	Accordo commerciale	10. 1.1961			}
	Paraguay	Accordo commerciale	8. 7.1959	}	23. 1.1980	
	Portogallo	Accordo commerciale e scambio di note Scambio di lettere	4. 3.1961 30.12.1961			}
	Repubblica araba d'Egitto	Protocollo commerciale	29. 4.1959	}	31.12.1979	
	Siria	Accordo commerciale	10.11.1955			}
	Tunisia	Accordo commerciale e protocollo addizionale	23.11.1961 7. 8.1963	}	31.12.1979	
	NEDERLAND	Arabische Re-Publiek Egypte	Handelsovereenkomst			21. 3.1953
		Argentinië	Handels- en betalingsovereenkomst	25.11.1957	}	31.12.1979
Turkije		Handelsakkoord	6. 9.1949	}		
OECD	Argentine	Accord commercial et de paiement	25.11.1957		}	31.12.1979
	Finlande	Accord commercial	8.11.1955	}		
	Pakistan	Accord commercial	15. 3.1952		}	31.12.1979
UNITED KINGDOM	Spain	Trade and payments Agreement extended by exchanges of notes ending with that of	23. 6.1948 19./25.6.1952	}		