

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(93) 710 final

Brussels, 7 January 1994

Proposal for a

COUNCIL REGULATION (EC)

extending the measures taken under the agreement between
the European Economic Community and the United States of
America for the conclusion of negotiations under GATT
Article XXIV.6

(presented by the Commission)

EXPLANATORY MEMORANDUM

Subject: The 1987 bilateral agreement between the European Economic Community and the United States of America

1. In 1987 an "Agreement for the Conclusion of Negotiations between the European Economic Community and the United States of America under GATT Article XXIV.6" was entered into between the two parties by which they agreed upon a number of rights and obligations ¹. Consultations between the two parties as foreseen in the Agreement subsequently took place in an attempt to find a solution to the disagreement existing between the Community and the United States, on whether or not new actions, if any, might be appropriate.
2. It was not possible to conclude these consultations by the end of 1990, notably in view of the prolongation of the Uruguay Round, and therefore in respect of those rights and obligations which were foreseen to expire on that date an agreement was reached between the Community and the United States to extend these until 31 December 1991. The Community implemented this prolongation by a Decision by the Council to approve an Exchange of Letters between the Community and United States complementing the Agreement ².
3. The Commission considered it appropriate that on the one hand it was desirable to continue to apply these measures, in particular to avoid a worsening of the disagreement on this issue, and on the other hand that it was preferable to do so on an autonomous basis. Consequently, the Commission submitted to the Council a draft regulation extending these measures from 1 January 1992 for a year. Subsequently, the proposal was adopted by the Council late 1991 and published in Regulation (EEC) No 3919/91 ³.

The Council, by Regulation (EEC) No 991/93 of 23 April 1993, decided to extend these provisions for 1993 ⁴.

¹ OJ No L 98, 10.4.1987, p. 1.

² OJ No L 17, 23.1.1991, p. 17.

³ OJ No L 372, 31.12.1991, p. 35.

⁴ OJ No L 104, 29.4.1993, p. 1.

4. The negotiations under the Uruguay Round are being actively pursued but the implementation of the results of these negotiations will not in any case be applied before 1 January 1994, the Commission, therefore, proposes to extend these measures for another year with effect from 1 January until 31 December 1994.

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of

extending the measures taken under the agreement between
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Article XXIV.6

THE COUNCIL OF THE EUROPEAN UNION, IES,

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

Having regard to the proposal from the Commission,

Whereas by an Agreement between the European Economic
Community and the United States of America for the
conclusion of negotiations under Article XXIV.6 of the
General Agreement on Tariffs and Trade (GATT) ¹ which was
extended by the conclusion of an exchange of letters ²
complementing that Agreement until 31 December 1991, the
Community agreed to take certain measures;

¹OJ No L 98, 10.4.1987, p. 1.

²OJ No L 17, 23.1.1991, p. 17.

Whereas the Community applied these measures during 1992 and 1993 by virtue of Council Regulations (EEC) No 3919/91³ and (EEC) No 991/93⁴;

Whereas the reasons still exist for the prolongation of these measures,

HAS ADOPTED THIS REGULATION

Article 1

The measures referred to in the exchange of letters complementing the Agreement between the European Economic Community and the United States of America for the conclusion of negotiations under GATT Article XXIV.6 shall be applied by the Community until 31 December 1994.

Article 2

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels,

For the Council

The President

³OJ No L 372, 31.12.1991, p. 35.

⁴OJ No L 104, 29.4.1993, p. 1.

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