COUNCIL DECISION

of 18 June 1973

authorizing the tacit extension or continued operation of certain Treaties of Friendship, Trade and Navigation Treaties and similar Agreements concluded by the Member States with third countries

(73/182/EEC)

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 of 16 December 1969 [1] in particular Article 3 thereof, on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community Agreements;

Having regard to the Proposal from the Commission;

Whereas the Council Decisions of 13 October 1970 [2], 1 February 1971 [3] and 18 October 1972 [4] authorized the tacit extension or continued operation of the Treaties of Friendship, Trade and Navigation Treaties and similar Agreements concluded by the Member States of the Community as originally constituted;

Whereas the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland requested authorization for the tacit extension or continued operation of provisions governing matters covered by the common commercial policy within the meaning of Article 113 of the Treaty and contained in the Treaties of Friendship, Trade and Navigation Treaties and similar Agreements listed in the Annex, to avoid interrupting their trade relations based on agreements with the relevant third countries;

Whereas the authorization to extend those provisions would go beyond the transitional period, without prejudice to other obligations devolving upon the Member States concerned under Community law; whereas such authorization does not affect the other provisions of the relevant agreements;

Whereas the Member States concerned have stated that the tacit extension or continued operation of these agreements would in no way debar the opening of Community commercial negotiations with the relevant third countries, and whereas they are willing to transpose the commercial questions covered by current bilateral agreements into such Community agreements as it is proposed to negotiate;

Whereas, following the consultation provided for in Article 2 of the Council Decision of 16 December 1969, it was found, and confirmed by the abovementioned statements from the Member States concerned, that the relevant bilateral agreements will not, during the proposed period of extension, hinder the implementation of the common commercial policy;

Whereas, moreover, the Member States concerned have stated that they would be willing to amend and, if necessary, repudiate these Agreements should it be found, during the proposed period of extension, that the provisions thereof, relating to matters covered by Article 113 of the Treaty, hinder the implementation of the common commercial policy;

Whereas the Agreements involved contain repudiation clauses requiring a period of notice of between three and twelve months;

Whereas there is thus no reason for not authorizing the tacit extension or continued operation, until 31 December 1974, of the provisions in question;

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[1] OJ No L 326, 29. 12. 1969, p. 39.
[2] OJ No L 231, 20. 10. 1970, p. 7.
[3] OJ No L 31, 8. 2. 1971, p. 18.
[4] OJ No 250, 6. 11. 1972, p. 5.

HAS ADOPTED THIS DECISION:

Article 1

The provisions governing matters covered by the common commercial policy within the meaning of Article 113 of the Treaty and contained in the Treaties of Friendship, Trade and Navigation Treaties and similar Agreements listed in the Annex hereto may be extended tacitly or continued in operation until 31 December 1974.

Article 2

This Decision is addressed to the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland.

Done at Luxembourg, 18 June 1973.

For the Council

The President

A. LAVENS

ANNEX

Member State	Third country	Type of act	Date of the act
DENMARK	Arab Republic of Egypt	Temporary commercial agreement	7. 5. 1930
	Austria	Treaty of Commerce	6. 4. 1928
	Bolivia	Treaty of Commerce	9. 11. 1931
	Brazil	Temporary agreement of most favoured nation treatment	30. 7. 1936
	Bulgaria	Arrangement regarding the reciprocal application of most favoured nation treatment (exchange of letters)	27. 7./5. 8. 1921
	Burma	Exchange of notes concerning the most favoured nation treatment	29. 4. 1948 and 17. 4. 1950
	Chile	Treaty of Commerce and Navigation	4. 2. 1899
	China	Provisional Treaty of Friendship and Commerce	12. 12. 1928
		Exchange of notes concerning this Treaty	13. 3. 1929
	Colombia	Treaty of Commerce and Navigation	21. 6. 1923
	Costa Rica	Treaty of Commerce and Navigation	26. 9. 1956
	Czechoslovakia	Exchange of notes concerning commerce and navigation	18. 4. 1925
		Exchange of notes concerning the goods treatment	26. 8. 1929
	Dominican Republic	Treaty of Friendship, Commerce and Navigation	26. 7. 1852
	El Salvador	Treaty of Commerce and Navigation	9. 7. 1958
	Finland	Treaty of Commerce and Navigation	3. 8. 1923
	Greece	Convention of Commerce and Navigation	22. 8. 1928
	Guatemala	Treaty of Commerce and Navigation	4. 3. 1948
	Haïti	Treaty of Commerce	21. 10. 1937
	Hungary	Convention of Commerce and Navigation	14. 3. 1887
	Iran	Treaty of Friendship, Establishment and Commerce	20. 2. 1934
	Israel	Provisional Agreement (Modus Vivendi) of most favoured nation treatment in matters of navigation and in any matter regarding customs duties, etc.	14. 11. 1952
	Japan	Treaty of Commerce and Navigation	12. 2. 1912
	Liberia	Treaty of Friendship, Commerce and Navigation	21. 5. 1860
	Norway	Treaty of Commerce and Navigation	2. 11. 1826
	Paraguay	Agreement on trade and navigation	3. 5. 1967
	Peru	Treaty of Commerce and Navigation	10. 6. 1957
	Poland	Treaty of Commerce and Navigation	22. 3. 1924

Member State	Third country	Type of act	Date of the act
DENMARK *(cont'd)*	Portugal	Declaration of Commerce and Navigation	18. 6. 1935
		Additional declaration	29. 4. 1966
	Romania	Exchange of notes concerning commerce and navigation	28. 8. 1930
	Soviet Union	Treaty of Commerce and Navigation	17. 8. 1946
	Spain	Convention of commerce and navigation	2. 1. 1928
	Sweden	Treaty of Commerce and Navigation	2. 11. 1826
	Switzerland	Treaty of Friendship, Commerce and Establishment	10. 2. 1875
	Thailand	Treaty of Friendship, Commerce and Navigation	5. 11. 1937
		Exchange of notes	9. 3. 1972
	Turkey	Treaty of Establishment, Commerce and Navigation	31. 5. 1930
	United States	Treaty of Commerce and Navigation	1. 10. 1951
	Uruguay	Treaty of Commerce and Navigation	4. 3. 1953
	Yugoslavia	Declaration of Commerce	17./30. 3. 1909
	Zaïre	Trade Convention	23. 2. 1885
IRELAND	Arab Republic of Egypt	Exchange of notes in regard to Commercial Relations	25/28. 7. 1930
		Exchange of notes prolonging the provisional commercial agreement of 25./28. 7. 1930	27. 2. 1951
	Brazil	Exchange of notes in regard to Commercial Relations	16. 10. 1931
	Costa Rica	Exchange of notes in regard to Commercial Relations	2. 8. 1933 and 2. 4. 1934
	Greece	Exchange of notes in regard to Commercial Relations	15. 5. 1930
	Guatemala	Exchange of notes in regard to Commercial Relations	8. 2. and 10. 4. 1930
	Portugal	Treaty of Commerce and Navigation	29. 10. 1929
	Romania	Exchange of notes in regard to Commercial Relations	1./27. 10. 1930
	South Africa	Exchange of notes in regard to Commercial Relations	31. 7. 1935
	United States	Treaty of Friendship, Commerce and Navigation	21. 10. 1950
	Vietnam	Exchange of notes in regard to Commercial Relations	1. 12. 1964
UNITED KINGDOM	Afghanistan	Treaty of Friendship and Commerce	22. 11. 1921
		Trade Convention	5. 6. 1923
		Exchange of notes	6. 5. 1930
	Argentine	Treaty of Amity Commerce and Navigation	2. 2. 1825

Member State	Third country	Type of act	Date of the act
UNITED KINGDOM *(cont'd)*	Bolivia	Treaty of Commerce	1. 8. 1911
	Burma	Treaty regarding the Recognition of Burmese Independence and related matters, with Exchange of Notes	17. 10. 1947
		Exchange of notes regulating commercial relations pending the conclusion of a new Treaty of Commerce and Navigation	24. 12. 1949
	Colombia	Treaty of Friendship, Commerce and Navigation	16. 2. 1866
		Protocol applying the Treaty to certain parts of the Dominions	20. 8. 1912
		Exchange of Notes	30. 12. 1938
	Costa Rica	Treaty of Friendship, Commerce and Navigation	27. 11. 1849
		Protocol respecting the application of the Treaty to certain parts of the Dominions	18. 8. 1913
	Czechoslovakia	Treaty of Commerce with Declaration	14. 7. 1923
	Finland	Treaty of Commerce and Navigation	14. 12. 1923
	Greece	Treaty of Commerce and Navigation and Declaration	16. 7. 1926
		Exchange of notes amending the Treaty of 16. 7. 1926	21. 2. 1951
	Hungary	Treaty of Commerce and Navigation	23. 7. 1926
	Iran	Treaty of Peace and Commerce	4. 3. 1857
		Commercial Convention	9. 2. 1903
		Agreement modifying the Commercial Convention	21. 3. 1920
	Japan	Treaty of Commerce, Establishment and Navigation, with Protocols and Exchanges of notes	14. 11. 1962
		Exchange of notes on voluntary Export Control	14. 11. 1962
	Liberia	Treaty of Friendship and Commerce	21. 11. 1848
		Agreement modifying the Treaty of 21. 11. 1848	23. 7. 1908
	Morocco	General Treaty	9. 12. 1856
		Convention of Commerce and Navigation	9. 12. 1856
		Exchange of Notes concerning the Convention of 9. 12. 1856	1. 3. 1957
	Muscat and Oman	Treaty of Friendship, Commerce and Navigation with Exchange of letters	20. 12. 1951
	Nepal	Treaty of Peace and Friendship	30. 10. 1950
	Nicaragua	Treaty of Friendship, Commerce and Navigation	28. 7. 1905
	Norway	Convention of Commerce and Navigation	18. 3. 1826
		Convention regarding the application of the Convention of Commerce of 1826 to the Dominions	16. 5. 1913

Member State	Third country	Type of act	Date of the act
UNITED KINGDOM *(cont'd)*	Peru	Treaty of Friendship, Commerce and Navigation	10. 4. 1850
		Agreement relating to Commerce and Navigation (with Protocols and Exchanges of notes)	6. 10. 1936
		Exchange of notes regarding the continuance in force of Articles 4 and 5 of the commercial agreement of 6. 10. 1936	28. 1. 1950
	Poland	Treaty of Commerce and Navigation	26. 11. 1923
	Portugal	Treaty of Commerce and Navigation	12. 8. 1914
	Romania	Treaty of Commerce and Navigation with Protocols and Exchange of notes	6. 8. 1930
	Soviet Union	Temporary Commercial Agreement	16. 2. 1934
	Spain	Treaty of Navigation and Commerce	9. 12. 1713
		Treaty of Commerce	14. 12. 1715
		Treaty of Commerce	5. 10. 1750
		Treaty of Commerce and Navigation	31. 10. 1922
		Convention revising certain provisions of the 1922 Treaty and Exchange of Notes	5. 4. 1927
		Exchange of Notes regarding interpretation of Treaty of 1922	6. 2. 1928
		Exchange of Notes modifying the Convention of 5. 4. 1927	31. 5. 1928
	Sweden	Treaty of Peace and Commerce	11. 4. 1654
		Treaty of Commerce	17. 7. 1656
		Treaty of Peace and Commerce	21. 10. 1661
		Treaty of Commerce and Alliance	5. 2. 1766
		Treaty of Peace Union and Friendship	18. 7. 1812
		Convention of Commerce and Navigation	18. 3. 1826
	Switzerland	Treaty of Friendship, Commerce and reciprocal Establishment	6. 9. 1855
		Convention applying the Treaty of 1855 to the Dominions	30. 3. 1914
		Exchange of Notes applying to Liechtenstein commercial agreements in force	26. 4. 1924
	Thailand	Treaty of Commerce and Navigation	23. 11. 1937
	Turkey	Treaty of Commerce and Navigation	1. 3. 1930
		Exchange of Notes relating to certain commercial matters	28. 2. 1957
	United States	Convention of Commerce	3. 7. 1815
		Convention	20. 10. 1818
		Convention of Commerce	6. 8. 1827
	Venezuela	Treaty of Amity, Commerce and Navigation	18. 4. 1825
		Convention	29. 10. 1834
		Exchange of Notes	3. 2. 1903
	Yemen	Treaty of Friendship and Mutual Cooperation with Exchanges of Notes	11. 2. 1934
	Yugoslavia	Treaty of Commerce and Navigation with Exchange of Notes	12. 5. 1927
		Agreement on Trade and Payments	27. 11. 1936