II

*(Acts whose publication is not obligatory)*

# COUNCIL

## COUNCIL DECISION

**of 21 May 1990**

**authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries**

(90/235/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 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 89/371/EEC (2);

Whereas the Member States concerned have, with a view to avoiding any disruption of their commercial relations with the 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 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 insofar as their provisions are not contrary to existing common policies.

(1) OJ No L 326, 29. 12. 1969, p. 39.
(2) OJ No L 164, 15. 6. 1989, p. 42.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 21 May 1990.

*For the Council*

*The President*

R. MOLLOY

*ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO*

| Estado miembro / Medlemsstat / Mitgliedstaat / Κράτος μέλος / Member State / État membre / Stato membro / Lid-Staat / Estado-membro | País tercero / Tredjeland / Drittland / Τρίτη χώρα / Third country / Pays tiers / Paese terzo / Derde land / País terceiro | Naturaleza y fecha del Acuerdo / Aftalens art og datering / Art und Datum des Abkommens / Φύση και ημερομηνία της συμφωνίας / Type and date of Agreement / Nature et date de l'accord / Natura e data dell'accordo / Aard en datum van het akkoord / Natureza e data do acordo | Prorrogado o tácitamente reconducido hasta el / Udløb efter forlængelse eller stiltiende videreførelse / Ablauf nach Verlängerung oder stillschweigender Verlängerung / Ημερομηνία λήξεως κατόπιν της παρατάσεως ή της σιωπηράς ανανεώσεως / Prolonged or tacitly renewed until / Échéance après prorogation ou tacite reconduction / Scadenza dopo la proroga o il tacito rinnovo / Vervaldatum na al dan niet stilzwijgende verlenging / Prorrogado ou tacitamente renovado até |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| BENELUX | Israël | Accord commercial/Handelsakkoord 29. 8. 1958 | 31. 8. 1991 |
| | Philippines/ Filippijnen | Accord commercial/Handelsakkoord 14. 3. 1967 | 11. 10. 1991 |
| ITALIA | Cuba | Scambio di note 9. 9. 1950 | 8. 9. 1991 |
| | India | Accordo commerciale e scambio di lettere 6. 10. 1959 / 7. 7. 1964 | 30. 6. 1991 |
| | Libano | Accordo commerciale 4. 11. 1955 | 10. 9. 1991 |
| | Svizzera | Accordo commerciale 21. 10. 1950 | 31. 10. 1991 |
| | Yemen | Protocollo addizionale (al trattato d'amicizia e di relazioni economiche del 4. 9. 1937) 5. 10. 1959 | 31. 12. 1991 |
| DANMARK | Cameroun | Handelsaftale 8. 10. 1962 | 7. 10. 1991 |
| DEUTSCHLAND | Ekuador | Handelsabkommen 1. 8. 1953 | 15. 10. 1991 |
| | Kolumbien | Handelsabkommen 9. 11. 1957 | 10. 11. 1991 |
| ΕΛΛΑΔΑ | Βραζιλία | Εμπορική συμφωνία 9. 6. 1975 | 2. 7. 1991 |
| | Αιθιοπία | Εμπορική συμφωνία 22. 6. 1959 | 22. 6. 1991 |
| | Λίβανος | Εμπορική συμφωνία 3. 7. 1958 | 2. 5. 1991 |
| | Λιβερία | Εμπορική συμφωνία 29. 6. 1973 | 29. 6. 1991 |
| | Λιβύη | Εμπορική συμφωνία 16. 3. 1957 | 23. 5. 1991 |
| | Μεξικό | Εμπορική συμφωνία 12. 4. 1960 | 20. 6. 1991 |
| | Ιράκ | Εμπορική συμφωνία 26. 4. 1956 | 1. 5. 1991 |
| ESPAÑA | El Salvador | Acuerdo Comercial 2. 12. 1982 | 23. 9. 1991 |
| | Nicaragua | Convenio de Cooperación Económica 4. 3. 1974 | 2. 9. 1991 |
| | Senegal | Acuerdo Comercial 15. 11. 1978 | 3. 10. 1991 |

| (1) | (2) | (3) | | (4) |
|---|---|---|---|---|
| PORTUGAL | Argélia | Acordo Comercial | 16. 6. 1976 | 15. 10. 1991 |
| | Brasil | Acordo de Comércio | 7. 9. 1966 | 6. 9. 1991 |
| | México | Acordo Económico e Comercial | 28. 8. 1980 | 27. 8. 1991 |
| | Guiné-Bissau | Acordo Comercial | 13. 1. 1978 | 12. 1. 1991 |
| | Marrocos | Acordo Comercial | 28. 1. 1977 | 27. 1. 1991 |
| | Zimbabwe | Acordo Comercial | 10. 9. 1982 | 9. 9. 1991 |
| UEBL/BLEU | Mexique/Mexico | Accord commercial/Handelsakkoord | 16. 9. 1950 | 11. 9. 1991 |
| UNITED KINGDOM | Haiti | Exchange of letters for the establishment of a commercial *'Modus vivendi'* | 25. 2. 1928 | 31. 12. 1991 |