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(Acts whose publication is not obligatory)

COUNCIL AND COMMISSION

COUNCIL DECISION

of 26 February 1990

on the conclusion by the European Economic Community of an Agreement between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation

(90/116/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas the conclusion of the Agreement between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation is necessary for the achievement of the Community's objectives in the field of external economic relations; whereas this Agreement should be approved on behalf of the European Economic Community;

Whereas it appears that certain measures of economic cooperation provided for by the Agreement exceed the powers of action provided for in the Treaty, and in particular those specified in the field of the common commercial policy,

HAD DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and

commercial and economic cooperation is hereby approved on behalf of the European Economic Community.

The text of that Agreement is attached to this Decision ⁽²⁾.

Article 2

The President of the Council shall give the notification, on behalf of the European Economic Community, provided for in Article 25 of the Agreement.

Article 3

The Commission assisted by representatives of the Member States, shall represent the Community in the joint committee set up by Article 22 of the Agreement.

Article 4

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

Done at Brussels, 26 February 1990.

For the Council
The President
M. SMITH

⁽¹⁾ Opinion delivered on 14 February 1990 (not yet published in the Official Journal).

⁽²⁾ See page 3 of this Official Journal.

COMMISSION DECISION

of 27 February 1990

concerning the conclusion on behalf of the European Atomic Energy Community of the Agreement between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation

(90/117/Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAD DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Economic Community, and in particular the second paragraph of Article 101 thereof,

Whereas the Agreement between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation was signed on 18 December 1989;

Whereas by Decision of 26 February 1990 the Council approved the said Agreement for the purposes of conclusion by the Commission on behalf of the European Atomic Energy Community;

Whereas the said Agreement should be concluded on behalf of the European Atomic Energy Community,

Article 1

The Agreement⁽¹⁾ between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation is hereby concluded on behalf of the European Atomic Energy Community.

Article 2

The President of the Commission shall give the notification provided for in Article 25 of the Agreement on behalf of the European Atomic Energy Community.

Done at Brussels, 27 February 1990.

For the Commission

The President

Jacques DELORS

⁽¹⁾ The text of that Agreement is attached to this Decision.

AGREEMENT

between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation

THE EUROPEAN ECONOMIC COMMUNITY, and

The EUROPEAN ATOMIC ENERGY COMMUNITY,

hereinafter together called 'the Community', of the one part, and

THE UNION OF SOVIET SOCIALIST REPUBLICS,

hereinafter called 'the USSR', of the other part,

RECOGNIZING that the Community and the USSR desire to establish direct contractual relations with one another which will permit further development at a later stage,

CONSIDERING that the development of relations between the Contracting Parties will complement and extend bilateral relations between the Community's Member States and the USSR,

HAVING REGARD to the importance of giving full effect to the Final Act of the Conference on Security and Cooperation in Europe and the Concluding Documents of subsequent meetings of the CSCE participating States,

DESIROUS of creating favourable conditions for the harmonious development and diversification of trade and the promotion of commercial and economic cooperation in areas of mutual interest on the basis of equality, mutual benefit and reciprocity,

BELIEVING that the volume and structure of trade between the Contracting Parties do not correspond to the potential represented by their current levels of economic development and their future prospects,

TAKING INTO ACCOUNT the favourable implications for trade and economic relations between the Contracting Parties of the economic restructuring under way in the USSR,

RECALLING the Joint Declaration on the establishment of official relations between the Council for Mutual Economic Assistance and the European Economic Community,

HAVE DECIDED to conclude an Agreement on trade and commercial and economic cooperation between the European Economic Community and the European Atomic Energy Community, of the one part, and the Union of Soviet Socialist Republics, of the other part, and to this end have designated as their Plenipotentiaries:

THE EUROPEAN ECONOMIC COMMUNITY:

Roland DUMAS,

Ministre d'Etat,

Minister for Foreign Affairs of the French Republic,

President-in-Office of the Council of the European Communities;

Frans ANDRIESEN,

Vice-President of the Commission of the European Communities;

THE EUROPEAN ATOMIC ENERGY COMMUNITY:

Frans ANDRIESEN,

Vice-President of the Commission of the European Communities;

THE UNION OF SOVIET SOCIALIST REPUBLICS

Eduard SHEVARDNADZE,

Minister for Foreign Affairs of the Union of Soviet Socialist Republics;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS

TITLE I

General

Article 1

Within the framework of their respective laws and regulations, the Contracting Parties shall use their best endeavours to facilitate and promote

- the harmonious development and diversification of their trade, and
- the development of various types of commercial and economic cooperation.

To that end, they confirm their resolve to consider favourably, each for its own part, suggestions made by the other Party with a view to attaining these objectives.

TITLE II

Trade and commercial cooperation

Article 2

1. This Agreement shall apply to trade in all goods originating in the Community or in the USSR, with the exception of the products covered by the Treaty establishing the European Coal and Steel Community.

2. This Agreement shall not affect the provisions of the Agreement between the European Economic Community and the USSR on trade in textile products initialled on 11 December 1989 and applied provisionally as from 1 January 1990, nor the provisions of any exchange of letters, any other arrangements concluded in connection therewith and any agreements on trade in textile products subsequently concluded, for the period of application of these provisions.

Article 3

1. The Contracting Parties shall accord to one another most-favoured-nation treatment in all areas in respect of:

- customs duties and charges applied to imports and exports, including the method of collecting such duties and charges,
- provisions relating to customs clearance, transit, warehouses and transhipment,

- taxes and other internal charges of any kind applied directly or indirectly to imported goods,
- methods of payment and the transfer of such payments,
- the rules relating to the sale, purchase, transport, distribution and use of goods on the domestic market.

2. The provisions of paragraph 1 shall not apply to:

- (a) advantages granted with the aim of creating a customs union or a free-trade area or pursuant to the creation of such a union or area;
- (b) advantages granted to particular countries in accordance with the General Agreement on Tariffs and Trade and with other international arrangements in favour of developing countries;
- (c) advantages granted to neighbouring countries to facilitate frontier-zone trade.

Article 4

The Contracting Parties undertake to allow relief from duties, taxes and other charges, and to grant licences in respect of goods temporarily remaining in their territories for re-exportation either in the unaltered state or after inward processing.

Article 5

The USSR shall grant imports of products originating in the Community non-discriminatory treatment as regards the application of quantitative restrictions, the granting of licences and the allocation of the currency needed to pay for such imports.

Article 6

Unless otherwise specified in this Agreement, trade and other commercial cooperation between the Contracting Parties shall be conducted in accordance with their respective regulations.

Article 7

Without prejudice to the provisions of Article 5, each Contracting Party shall accord the highest possible degree of

liberalization to imports of the other's products. The process of liberalization shall take account of the development of trade between the Contracting Parties, market conditions, changes in the rules concerning trade in the Community or in the USSR and progress made in implementing the Agreement.

Article 8

To this end the Community undertakes:

- to make efforts to ensure progress towards the progressive abolition of 'specific quantitative restrictions', namely those quantitative restrictions applied to imports originating in the USSR under Regulation (EEC) No 3420/83 which concern products other than those to which quantitative restrictions are applied under Regulation (EEC) No 288/82,
- to eliminate, within one year of the entry into force of this Agreement, quantitative restrictions on imports into those regions of the Community and of those products listed in Annex I,
- to suspend, within one year of the entry into force of this Agreement, the application of quantitative restrictions on imports into those regions of the Community and of those products listed in Annex II on the terms and conditions specified therein.

Article 9

As regards the specific quantitative restrictions not contained in Annexes I and II, the Contracting Parties shall examine, before 30 June 1992, in the framework of the joint committee referred to in Article 22, the further changes which can be made in the then existing import arrangements. The changes to be considered may include any of the following measures:

- liberalization,
- liberalization with surveillance of imports,
- adoption of appropriate measures by the USSR such as the issue of export licences or certificates to ensure that exports to the Community remain within specified levels,
- measures that may be required to adapt existing Community import arrangements.

Article 10

1. For each calendar year, the Community shall open import quotas for products which are of interest for the USSR and which are subject to quantitative restrictions.

2. The Contracting Parties shall hold consultations each year in the joint committee provided for in Article 22 to determine what increases can be made in the quotas referred to in paragraph 1 and whether quotas can be opened for other products for the following year.

Article 11

1. The Community undertakes to abolish by 31 December 1995 at the latest the remaining specific quantitative restrictions with the exception of those concerning a limited number of products which might be deemed sensitive at that time.
2. The joint committee set up pursuant to Article 22 shall, during its meeting in 1995, draw up the arrangements which shall apply for a prescribed period after 31 December 1995 to the imports of the sensitive products referred to in paragraph 1.

Article 12

Imports into the Community of products covered by this Agreement shall not be charged against the quotas referred to in Article 10 where they are declared as being intended for re-export and are actually re-exported from the Community either in the unaltered state or after inward processing, under the administrative control arrangements in force in the Community.

Article 13

The Parties shall inform one another of any changes in their tariff or statistical nomenclature or of any decision taken in accordance with the procedures in force concerning the classification of products covered by this Agreement.

Article 14

Goods shall be treated between the Contracting Parties at market-related prices.

Article 15

1. The Contracting Parties shall try to avoid conflict situations requiring safeguard measures in mutual trade. If problems nevertheless arise in trade between the Contracting Parties, the Parties shall open consultations not later than 30 days after the submission by one of them of an appropriate request within the framework of the joint committee set up in accordance with Article 22. Such consultations will aim at seeking mutually satisfactory solutions to these problems. Each Contracting Party will ensure that, except in critical circumstances, as defined in paragraph 4, no action is taken before consultations are held.

2. In particular, the provisions of paragraph 1 shall apply if any product is being imported into the territory of one of the Contracting Parties in such increased quantities or under such conditions as to cause, or threaten to cause, injury to domestic producers of like or directly competitive products. In this case, the Contracting Party requesting the consultations shall provide the other Party with all the information required for a detailed examination of the situation.

3. If, as a result of the consultations, the Contracting Parties do not reach agreement on actions to avoid the situation, the Party which requested consultations shall be free to restrict the imports of the products concerned to the extent and for such time as is necessary to prevent or remedy the injury. The other Contracting Party shall then be free to deviate from its obligations towards the first Party in respect of substantially equivalent trade.

4. In critical circumstances where delay would cause damage difficult to repair, the Contracting Parties may take safeguard actions provisionally before the consultations, on the condition that consultations shall be effected immediately after taking such action.

5. In the selection of measures under this Article, the Contracting Parties shall give priority to those which cause least disturbance to the achievement of the aims of this Agreement.

Article 16

1. This Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, law and order or public security, the protection of life and health of humans, animals or plants, the protection of industrial, commercial and intellectual property, or rules relating to gold or silver or imposed for the protection of national treasures of artistic, historic or archaeological value.

Such prohibitions and restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

2. This Agreement shall not preclude the taking of action justified on grounds of protection of essential security interests:

- (i) relating to fissionable materials or the materials from which they are derived;
- (ii) relating to the traffic in arms, ammunition and implements of war and to such traffic in other goods and materials as is carried on directly or indirectly for the purpose of supplying a military establishment;
- (iii) taken in time of war or other emergency in international relations.

TITLE III

Commercial and economic cooperation

Article 17

1. The Contracting Parties shall make every effort to promote, expand and diversify their trade. The joint committee set up by Article 22 shall attach special importance to ways of encouraging the reciprocal and harmonious expansion of trade.

2. The Contracting Parties undertake to facilitate exchange of commercial and economic information on all matters which would assist the development of trade and economic cooperation.

To this end, the Contracting Parties agree to ensure the publication of comprehensive data on commercial and financial issues, including production, consumption and foreign trade statistics.

3. The Contracting Parties undertake to facilitate cooperation between their respective customs services, in particular in the following areas:

- vocational training,
- simplification of customs documentation and procedures, and
- within the limits of their respective competences, administrative cooperation in order to prevent and detect infringements of the rules on customs matters, including the rules governing application of import quotas.

4. The Contracting Parties, within the limits of their respective powers, undertake to facilitate their trade and economic cooperation, *inter alia*, by the following:

- encouraging trade promotion activities in favour of their enterprises, including advertising, consulting, factoring and other business services,
- providing natural and legal persons of the other Party with guarantees of their individual and property rights, including non-discriminatory access for that purpose to courts and appropriate administrative bodies of the Community and the USSR,
- encouraging contacts between business associations of the Community and the USSR.

5. The Contracting Parties will encourage forms of trade compatible with the efficient conduct of international business relations and will also encourage business partners to decide independently upon their trading patterns.

The Contracting Parties therefore agree that counter-trade practices should be regarded as temporary and exceptional.

They further agree not to compel companies established in the Community or in the USSR to engage in such trade practices. Nevertheless, where firms or companies decide to resort to counter-trade operations, the Contracting Parties will encourage them to furnish all relevant information to facilitate the transaction.

6. In furtherance of the aims of this Article, the Contracting Parties agree to maintain and improve favourable business regulations, facilities and practices for each other's firms or companies on their respective markets, *inter alia* as indicated in Annex III.

Article 18

Within the limits of their respective powers, the Contracting Parties:

- shall encourage the adoption of arbitration for the settlement of disputes arising out of commercial and cooperation transactions concluded by firms, enterprises and economic organizations of the Community and those of the USSR,
- agree that where a dispute is submitted to arbitration, each party to the dispute may, except where the rules of the arbitration centre chosen by the parties provide otherwise, choose its own arbitrator, irrespective of his nationality, and that the presiding third arbitrator or the sole arbitrator may be a citizen of a third State,
- will recommend their economic operators to choose by mutual consent the law applicable to their contracts,
- shall encourage recourse to the arbitration rules elaborated by the United Nations Commission on International Trade Law (Uncitral) and to arbitration by any centre of a State signatory to the Convention on Recognition and Enforcement of Foreign Arbitral Awards done at New York on 10 June 1958.

Article 19

Within the limits of their respective powers, the Contracting Parties undertake to:

- ensure adequate protection and enforcement of industrial, commercial and intellectual property rights,
- ensure that their international commitments in the field of industrial, commercial and intellectual property rights are honoured,
- encourage appropriate arrangements between undertakings and institutions within the Community and the USSR with a view to due protection of industrial, commercial and intellectual property rights.

TITLE IV

Economic cooperation

Article 20

1. In the light of their respective economic policies and objectives, the Contracting Parties shall foster economic cooperation on as broad a base as possible in all fields deemed to be in their mutual interest.

Such cooperation shall be aimed in particular at:

- strengthening and diversifying economic links between the Contracting Parties, taking into consideration the complementarity of their economies,
- contributing to the development of their respective economies and standards of living,
- opening up new sources of supply and new markets,
- encouraging cooperation between economic operators, with a view to promoting investment and joint ventures, licensing agreements and other forms of industrial cooperation to develop their respective industries,
- encouraging participation of small and medium-sized enterprises in trade and co-operation
- encouraging environmentally sound policies,
- encouraging scientific and technological progress.

2. In order to achieve these objectives, the Contracting Parties shall encourage economic cooperation in areas of mutual interest, in particular in the following areas:

- statistics,
- standardization,
- industry,
- raw materials and mining,
- agriculture, including the food-processing industries,
- environmental protection and the management of natural resources,
- energy, including nuclear energy and nuclear safety (physical safety and radiation protection),
- science and technology in areas in which the Contracting Parties are active and which they consider to be of mutual interest, including nuclear research,
- economic, monetary, banking, insurance and other financial services,
- transport, tourism and other service activities,
- management and vocational training.

3. To give effect to the objectives of economic cooperation and within the limits of their respective powers and in accordance with their respective laws and policies, the Contracting Parties shall encourage the adoption of measures aimed at creating favourable conditions for economic and industrial cooperation, in particular by:

- facilitating exchanges and contacts between persons and delegations representing commercial, economic, business or other appropriate organizations,
- encouraging and facilitating trade promotion activities, such as the organization of seminars, fairs and exhibitions,
- facilitating the conduct of market research and other marketing activities on their respective territories,
- promoting activities involving the provision of technical expertise in appropriate areas,
- promoting the exchange of information and contacts on scientific subjects of mutual interest,
- fostering a favourable climate for investment, joint ventures and licensing arrangements, notably by the extension by the Community Member States and the USSR of arrangements for investment promotion and protection, in particular for the transfer of profits and repatriation of invested capital, on the basis of the principles of non-discrimination and reciprocity.

Article 21

Without prejudice to the relevant provisions of the Treaties establishing the European Communities, this Agreement and any action taken thereunder shall in no way affect the powers of the Member States of the Community to undertake bilateral activities with the USSR in the field of economic cooperation and to conclude, where appropriate, new economic cooperation agreements with the USSR.

TITLE V

Joint committee

Article 22

1. (a) A joint committee shall be set up comprising representatives of the Community, on the one hand, and representatives of the USSR, on the other.
- (b) The joint committee shall formulate recommendations by mutual consent.
- (c) The joint committee shall, as necessary, adopt its own rules of procedure and programme of work.

(d) The joint committee shall meet once a year in Brussels and Moscow alternately. Special meetings may be convened by mutual agreement, at the request of either Contracting Party. The office of chairman of the joint committee shall be held alternately by each of the Contracting Parties. Wherever possible, the agenda for meetings of the joint committee shall be agreed beforehand.

2. (a) The joint committee shall ensure the proper functioning of this Agreement and shall devise and recommend measures for achieving its objectives, keeping in view the economic and social policies of the Contracting Parties.

(b) The joint committee shall endeavour to find ways of encouraging the development of trade and commercial and economic cooperation between the Contracting Parties. In particular, it shall:

- examine the various aspects of trade between the Parties, notably its overall pattern, rate of growth, structure and diversification, the trade balance and the various forms of trade and trade promotion,
- make recommendations on any commercial or economic cooperation problem of mutual concern,
- seek appropriate means of avoiding possible difficulties in the fields of trade and cooperation and encourage various forms of commercial and economic cooperation in areas of mutual interest,
- consider measures likely to develop and diversify trade and economic cooperation, notably by improving import opportunities in the Community and in the USSR,
- exchange information on macro-economic plans and, where they exist, foreign trade plans and forecasts for the economies of the Parties which have an impact on trade and cooperation and, by extension, on the scope for developing complementarity between their respective economies and also on proposed economic development programmes,
- exchange information about amendments and developments in the laws, regulations and formalities of the Contracting Parties in the areas covered by this Agreement,
- seek methods of arranging and encouraging the exchange of information and contacts in matters relating to cooperation in the economic field between the Contracting Parties on a mutually advantageous basis, and work towards the creation of favourable conditions for such cooperation,

- examine favourably ways of improving conditions for the development of direct contacts between firms established in the Community and those established in the USSR,
- formulate and submit to the authorities of the Contracting Parties recommendations for solving any problems that arise, where appropriate by concluding arrangements or agreements.
- examine the situation with regard to the award of contracts for the supply of goods or services consequent upon international invitations to tender.

TITLE VI

General and final provisions

Article 23

Subject to the provisions concerning economic cooperation in Article 21, the provisions of this Agreement shall replace the provisions of the Agreements concluded between the Member States of the Community and the USSR, to the extent to which the latter provisions are either incompatible with, or identical to, the former.

Article 24

This Agreement shall apply, on the one hand, to the territories in which the Treaties establishing the European

Economic Community and the European Atomic Energy Community are applied and under the conditions laid down in those Treaties and, on the other hand, to the territory of the Union of Soviet Socialist Republics.

Article 25

1. This Agreement shall enter into force on the first day of the second month following the date on which the Contracting Parties have notified each other that the legal procedures necessary to this end have been completed. The Agreement shall be concluded for an initial period of 10 years. The Agreement shall be automatically renewed year by year provided that neither Contracting Party gives the other Party written notice of denunciation of the Agreement six months before it expires.

The Contracting Parties may expand and/or amend this Agreement or elaborate further on its specific provisions by mutual consent in order to take account of new developments.

The Annexes, the Joint Declaration and the exchange of letters attached to this Agreement shall form an integral part thereof.

Article 26

This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Russian languages, each text being equally authentic.

En fe de lo cual, los plenipotenciarios abajo firmantes han suscrito el presente Acuerdo.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

Εἰς πίστωση τῶν ἀνωτέρω, οἱ υπογράφωντες πληρεξούσιοι ἔθεσαν τὶς υπογραφές τους κάτω ἀπὸ τὴν παρούσα συμφωνία.

In witness whereof the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit Akkoord hebben gesteld.

Em fé do que, os plenipotenciários abaixo assinados apuseram as suas assinaturas no final do presente Acordo.

В УДОСТОВЕРЕНИЕ ЧЕГО нижеподписавшиеся Полномочные представители подписали настоящее Соглашение.

Hecho en Bruselas, el dieciocho de diciembre de mil novecientos ochenta y nueve.

Udfærdiget i Bruxelles, den attende december nitten hundrede og niogfirs.

Geschehen zu Brüssel am achtzehnten Dezember neunzehnhundertneunundachtzig.

Έγινε στις Βρυξέλλες, στις δέκα οκτώ Δεκεμβρίου χίλια εννιακόσια ογδόντα εννέα.

Done at Brussels on the eighteenth day of December in the year one thousand nine hundred and eighty-nine.

Fait à Bruxelles, le dix-huit décembre mil neuf cent quatre-vingt-neuf.

Fatto a Bruxelles, addì diciotto dicembre millenovecentottantanove.

Gedaan te Brussel, de achttiende december negentienhonderd negenentachtig.

Feito em Bruxelas, em dezoito de Dezembro de mil novecentos e oitenta e nove.

Совершено в Брюсселе восемнадцатого декабря тысяча девятьсот восемьдесят девятого года.

Por la Comunidad Económica Europea

For Det Europæiske Økonomiske Fællesskab

Für die Europäische Wirtschaftsgemeinschaft

Για την Ευρωπαϊκή Οικονομική Κοινότητα

For the European Economic Community

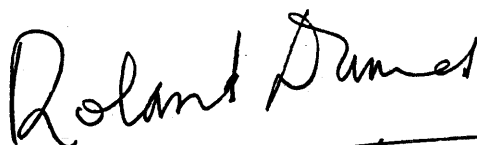
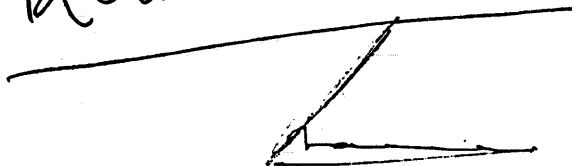
Pour la Communauté économique européenne

Per la Comunità economica europea

Voor de Europese Economische Gemeenschap

Pela Comunidade Económica Europeia

За Европейское экономическое сообщество

Por la Comunidad Europea de la Energía Atómica

For Det Europæiske Atomenergifællesskab

Für die Europäische Atomgemeinschaft

Για την Ευρωπαϊκή Κοινότητα Ατομικής Ενέργειας

For the European Atomic Energy Community

Pour la Communauté européenne de l'énergie atomique

Per la Comunità europea dell'energia atomica

Voor de Europese Gemeenschap voor Atoomenergie

Pela Comunidade Europeia da Energia Atómica

За Европейское сообщество по атомной энергии



Por la Unión de Repúblicas Socialistas Soviéticas

For Unionen af Socialistiske Sovjetrepublikker

Für die Union der Sozialistischen Sowjetrepubliken

Για την Ένωση Σοβιετικών Σοσιαλιστικών Δημοκρατιών

For the Union of Soviet Socialist Republics...

Pour l'Union des républiques socialistes soviétiques

Per l'Unione delle Repubbliche socialiste sovietiche

Voor de Unie van Socialistische Sowjetrepublieken

Pela União das Repúblicas Socialistas Soviéticas

За Союз Советских Социалистических Республик

all evening

ANNEX I

List of regions of the Community and products referred to in the second indent of Article 8

BENELUX	BENELUX (cont'd)	FEDERAL REPUBLIC OF GERMANY (cont'd)	DENMARK (cont'd)
0701 90 51			1806 31 00
0702 00 90	ex 8501 52 99		1806 32 10
	ex 8501 53 10	7117 19 10	1806 32 90
1704 90 30	ex 8501 53 91	7117 90 00	1806 90 11
1704 90 51	ex 8501 53 99		1806 90 19
1704 90 55		7202 41 90	1806 90 31
1704 90 61	FEDERAL	7202 80 00	1806 90 39
1704 90 65	REPUBLIC	7202 92 00	1806 90 50
1704 90 71	OF GERMANY		1806 90 60
1704 90 75	0712 10 00	7214 10 00	1806 90 70
1704 90 81		7307 19 10	1806 90 90
1704 90 99	2833 22 00		6906 00 00
1806 10 10	3102 40 10	7318 12 10	
1806 10 30		7318 12 90	7318 11 00
1806 10 90	4202 11 10	7318 15 81	7318 12 10
1806 20 10	4202 11 90	7318 16 30	7318 12 90
1806 20 30	4202 21 00	7318 16 50	7318 13 00
1806 20 50	4202 31 00	7318 16 91	7318 14 10
1806 20 70	4202 91 10	7318 16 99	7318 14 91
1806 20 90	4202 91 50		7318 14 99
1806 31 00	4202 91 90	7601 10 00	7318 15 20
1806 32 10	4202 92 15	7601 20 10	7318 15 49
1806 32 90	4202 92 95	7601 20 90	7318 15 61
1806 90 11	4202 99 10		7318 15 69
1806 90 19		7905 00 11	7318 15 70
1806 90 31	4203 29 91		7318 15 89
1806 90 39	4203 29 99	8901 10 90	7318 16 99
1806 90 50		8901 20 90	
1806 90 60	4410 10 10	8901 30 90	9603 29 10
1806 90 70	4410 10 50	8901 90 91	9603 29 30
1806 90 90	4411 11 00	8901 90 99	9603 30 10
	4411 21 00		9603 40 10
1901 10 00	4411 31 00	8902 00 90	9603 40 90
1901 90 90	4411 91 00	9025 11 91	9603 90 91
	4411 99 00		
1904 10 10		9205 10 00	GREECE
1904 10 30	6403 19 00		4010 91 00
1904 10 90	6403 20 00	9503 30 10	4010 99 00
1904 90 10	6403 40 00	9503 41 00	
1904 90 90	6403 51 11	9503 49 10	7325 91 00
	6403 51 91	9503 49 90	
6911 10 00	6403 59 31	9503 60 10	7326 11 00
6911 90 00	6403 59 91	9503 90 37	7326 20 30
	6403 91 11	9503 90 99	
ex 7017 20 00 ⁽¹⁾	6403 91 91		8215 10 10
ex 7017 90 00	6403 99 31	9505 10 10	8215 20 10
	6403 99 91		8215 20 90
7905 00 11		9617 00 11	8215 99 10
7905 00 19	6801 00 00	9617 00 19	
7905 00 90			8506 19 10
	6815 91 00		8506 19 90
ex 8501 20 10 ⁽²⁾		DENMARK	
ex 8501 31 10	6902 10 00		8508 20 00
ex 8501 32 10		1806 10 10	8508 90 00
ex 8501 33 10	6908 90 51	1806 10 30	
ex 8501 40 10		1806 10 90	SPAIN
ex 8501 51 10	6912 00 90	1806 20 10	
ex 8501 51 90		1806 20 30	2529 10 00
ex 8501 52 10	7013 21 11	1806 20 50	2529 21 00
ex 8501 52 91	7013 21 19	1806 20 70	2529 22 00
ex 8501 52 93	7013 31 10	1806 20 90	2529 30 00
	7013 91 10		

SPAIN (cont'd)	FRANCE	ITALY (cont'd)	ITALY (cont'd)
2903 14 00	8528 20 71	2903 30 39	3604 10 00
2903 21 00	8528 20 73	2903 40 00	3604 90 00
2903 22 00	8528 20 79		
2903 23 00		2904 10 00	3606 10 00
2903 29 00	IRELAND	2904 90 10	3606 90 10
2903 30 10			3606 90 90
2903 30 31	4011 40 00	2905 14 10	
2903 30 39	4011 50 10	2905 22 10	3701 20 00
	4011 50 90	2905 22 90	
2905 14 10		2905 50 30	3801 30 00
2905 16 90	4013 20 00		
2905 19 90	4013 90 10	2907 23 10	3808 30 30
2905 22 10			3808 30 90
2905 22 90	6906 00 00	2912 11 00	
2905 29 00		2912 12 00	3811 21 00
2905 49 90	6912 00 30	2912 50 00	
2905 50 10		2912 60 00	3816 00 00
2905 50 30	9404 29 90		
	9404 30 10	2918 30 00	3818 00 10
2917 14 00	9404 30 90		3819 00 00
2917 34 10	9404 90 10	2921 12 00	
		2921 19 30	3823 20 00
2929 10 00	ITALY	2921 30 10	3823 30 00
		2921 51 90	3823 50 10
2933 61 00	0701 90 51	2921 59 00	3823 60 11
2933 71 00	0701 90 59		3823 60 19
2933 90 50		2922 12 00	3823 60 91
2933 90 60	0710 10 00	2922 49 10	3823 60 99
2933 90 70			3823 90 30
	0712 10 00	2929 10 00	3823 90 50
2934 90 50			3823 90 60
2934 90 60	2009 11 19	2932 11 00	3823 90 81
2934 90 80			3823 90 83
	2208 10 10	2933 11 10	3823 90 87
3206 49 10		2933 61 00	3823 90 93
	2209 00 99	2933 79 00	
3301 11 10		2933 90 50	3907 20 19
3301 12 10	2402 10 00	2933 90 60	
3301 13 10		2933 90 70	3920 73 10
	2523 10 00		
3904 61 00	2523 21 00	2934 90 40	4104 31 90
	2523 30 00	2934 90 50	4104 39 90
3907 20 11	2523 90 10	2934 90 60	
3907 20 19	2523 90 30	2934 90 80	4410 10 30
ex 3909 10 00 (3)			
	2529 21 00	2936 26 00	4418 30 10
3916 10 00	2529 22 00		4418 30 90
	2529 30 00	3003 20 00	
3917 21 10		3003 31 00	4501 10 00
3917 32 31	2704 00 11	3003 39 00	4501 19 00
	2704 00 90	3003 40 00	
		3003 90 10	4502 00 00
3920 73 10	2815 12 00		
		3102 10 91	4802 30 00
4002 60 00	2818 30 00	3102 10 99	
		3102 29 10	4804 19 39
4203 29 10	2824 10 00	3102 30 10	4804 29 10
4203 29 91	2824 90 00	3102 40 10	4804 31 10
		3102 40 90	4804 39 10
4410 10 30	2833 22 00	3102 60 00	
4410 90 10	2833 30 10	3102 80 00	4805 40 00
		3102 90 00	4805 50 00
7017 20 00	2840 30 00		4805 80 11
		3105 60 10	
8110 00 19	2841 20 00	3105 90 10	4808 20 00
8110 00 90	2849 10 00		4808 30 00
	2849 90 90	3206 49 10	
8545 19 10			4814 20 00
	2903 14 00	3602 00 00	
8705 40 00	2903 30 10		6401 10 10
	2903 30 31	3603 00 10	6401 10 90
			6401 91 10

ITALY (cont'd)	ITALY (cont'd)	ITALY (cont'd)	ITALY (cont'd)
6401 92 10	6912 00 30	7608 20 30	8545 11 00
6401 92 90		7608 20 91	8545 19 10
6401 99 10	7003 20 10	7608 20 99	8545 90 10
6401 99 90	7003 20 90		
		7609 00 00	8546 90 10
6402 11 00	7004 10 30		
6402 19 00	7004 90 50	7803 00 00	8701 20 10
6402 20 00			
6402 30 90	7005 30 00	7804 11 00	8705 40 00
6402 91 10		7804 19 00	
6402 91 90	7016 90 30		8710 00 00
6402 99 10		7805 00 00	
6402 99 39	7604 10 10		8714 20 00
6402 99 50	7604 10 90	7902 00 00	8714 91 30
6402 99 91	7604 21 00		8714 92 10
6402 99 95		7903 90 00	8714 92 90
6402 99 99	7606 11 10	7904 00 00	8714 93 10
	7606 11 91		8714 96 10
6403 11 00	7606 11 93	7905 00 19	8714 96 30
6403 30 00	7606 11 99		8714 99 10
6403 51 11	7606 12 10	7906 00 00	8714 99 30
6403 51 91	7606 12 50		8714 99 50
6403 59 11	7606 92 00	8408 10 21	
6403 91 11		8408 10 25	9306 30 30
6403 91 91	7607 11 10	8408 90 31	9306 90 10
6403 99 31	7607 11 90		
	7607 19 10	8443 11 00	
6601 99 10	7607 19 90	8443 21 00	
6601 99 90	7607 20 10	8443 29 00	
	7607 20 90	8443 30 00	
6904 10 00		8443 40 00	0701 90 10
6904 90 00	7608 10 10		0701 90 51
	7608 10 91	8452 40 00	0701 90 59
6908 90 51	7608 10 99		
6908 90 91	7608 20 10	8543 80 10	3605 00 00

UNITED
KINGDOM

Notes to Annex I, explaining the partial liberalization of certain products:

(¹) ex 7017 20 00 laboratory glassware.

ex 7017 90 00

(²) ex 8501 20 10 Motors of an output exceeding 0,75 kW but not exceeding 150 kW.

to 8501 53 99

(³) ex 3909 10 00 Urea glues.

(2) ex category 126: all CN codes except 5502 00 10, 5502 00 90.

ANNEX III

Declaration by the USSR on the implementation of Article 17 (6)

Bearing in mind the provisions of the Final Act of the Conference on Security and Cooperation in Europe and the concluding documents of the subsequent meetings of the CSCE Participating States, and in the context of its economic reforms, the USSR, within the limits of its powers, undertakes, in order to facilitate commercial and economic cooperation and to encourage mutual trade, to take measures such as:

- (a) facilitating the entry, stay and movement of Community businessmen in the USSR;
- (b) facilitating direct access of Community businessmen to business contacts and end-users in the USSR;
- (c) facilitating, on a non-discriminatory basis and on the basis of non-discriminatory prices, the establishment and operation of representative offices of Community firms in the USSR, including the renting of commercial premises and living space, the acquisition of equipment and transport facilities, access to telecommunications, utilities and social services;
- (d) facilitating on a non-discriminatory basis the free recruitment of local staff required by such firms;
- (e) not encouraging barter transactions by firms established in the USSR;
- (f) centralizing licensing in the USSR within one competent State body in order to ensure the proper implementation of the provisions of Article 5.

Joint Declaration by the Community and the USSR concerning Article 23

It is understood that the Agreements concluded between the Member States of the Community and the USSR, referred to in Article 23, may include *inter alia* agreements on trade and navigation.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Union of Soviet Socialist Republics concerning 'Testausschreibung'

A. Letter from the Community

Brussels, 18 December 1989

Sir,

Since the beginning of 1980, a new import scheme aimed at subsequent liberalization ('Testausschreibung') has been introduced by the Federal Republic of Germany covering almost half of the industrial products still subject to quantitative restrictions (apart from textile and steel products). This scheme provides on an experimental and temporary basis for the issue of import licences above and beyond the limits set by the quotas.

The 'Testausschreibung' is intended to permit an assessment, in the course of future years, of the sectors in which quantitative restrictions on imports of industrial products might be removed. During the examination of the results of the 'Testausschreibung', the particular importance which the USSR attaches to the expansion of economic relations and the USSR's contractual relations with the Community will be taken into consideration.

In the event that, in particular instances, as a result of USSR exports to the Federal Republic of Germany, market trends make it necessary to discontinue this practice, the USSR will be informed to this effect immediately and prior consultation may take place if the USSR so requests.

I should be obliged if you would confirm that your Government is in agreement with the above.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council —
of the European Communities —*

B. Letter from the USSR

Brussels, 18 December 1989

Sir,

I have the honour to acknowledge receipt of your letter of today which reads as follows:

‘Since the beginning of 1980, a new import scheme aimed at subsequent liberalization (“Testausschreibung”) has been introduced by the Federal Republic of Germany covering almost half of the industrial products still subject to quantitative restrictions (apart from textile and steel products). This scheme provides on an experimental and temporary basis for the issue of import licences above and beyond the limits set by the quotas.

The “Testausschreibung” is intended to permit an assessment, in the course of future years, of the sectors in which quantitative restrictions on imports of industrial products might be removed. During the examination of the results of the “Testausschreibung”, the particular importance which the USSR attaches to the expansion of economic relations and the USSR’s contractual relations with the Community will be taken into consideration.

In the event that, in particular instances, as a result of USSR exports to the Federal Republic of Germany, market trends make it necessary to discontinue this practice, the USSR will be informed to this effect immediately and prior consultation may take place if the USSR so requests.

I should be obliged if you would confirm that your Government is in agreement with the above.’

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of the
Union of Soviet Socialist Republics*

Information on the date of entry into force of the Agreement between the European Economic Community and the European Atomic Energy Community, on the one hand, and the Union of Soviet Socialist Republics, on the other, on trade and commercial and economic cooperation

The instruments of notification of the completion of the procedures for the entry into force of the Agreement between the European Economic Community and the European Atomic Energy Community, on the one hand, and the Union of Soviet Socialist Republics, on the other, on trade and commercial and economic cooperation, signed in Brussels on 18 December 1989, having been exchanged on 28 February 1990, the Agreement will enter into force on 1 April 1990, in accordance with Article 25 thereof.
