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COUNCIL

COUNCIL DECISION

of 4 March 1991

concerning the conclusion of the Framework Agreement for cooperation between the European Economic Community and the Republic of Chile

(91/158/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 recommendation from the Commission,

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

Whereas the Community should approve, for the attainment of its aims in the sphere of external economic relations, the Framework Agreement for cooperation with the Republic of Chile,

HAS DECIDED AS FOLLOWS:

Article 1

The Framework Agreement for cooperation between the European Economic Community and the Republic of Chile is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council shall give the notification provided for in Article 21 of the Agreement ⁽²⁾.

Article 3

The Commission, assisted by representatives of the Member States, shall represent the Community in the joint committee set up by Article 17 of the Agreement.

Article 4

This Decision shall be published in the *Official Journal of the European Communities*. It shall take effect on the day of its publication.

Done at Brussels, 4 March 1991.

For the Council

The President

J. F. POOS

⁽¹⁾ Opinion delivered on 18 February 1991 (not yet published in the Official Journal).

⁽²⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

FRAMEWORK AGREEMENT FOR COOPERATION
between the European Economic Community and the Republic of Chile

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF CHILE,

of the other part,

CONSIDERING the traditional links of friendship between the Member States of the European Economic Community, hereinafter referred to as 'the Community', and the Republic of Chile, hereinafter referred to as 'Chile',

REAFFIRMING the importance they attach to the principles of the United Nations Charter, to democratic values and to respecting human rights,

CONSIDERING the readiness of the Community and its Member States to help address the social and economic problems confronting Chile as it returns to democracy,

TAKING ACCOUNT of their mutual interest in establishing contractual links in order to develop extensive cooperation in areas which are of key importance to social and economic progress, and in stepping up and diversifying trade and encouraging the flow of investment,

MINDFUL of the importance of securing the participation in cooperation of the individuals and bodies with a direct interest in the matter, particularly economic operators and the bodies which represent them,

TAKING ACCOUNT of their membership of the General Agreement on Tariffs and Trade (GATT) and of the need to uphold and reinforce the rules for free and unhampered international trade,

HAVE DECIDED to conclude this Agreement and to this end have designated as their plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Gianni DE MICHELIS,

Minister for Foreign Affairs of the Italian Republic,

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

Abel MATUTES,

Member of the Commission of the European Communities,

THE REPUBLIC OF CHILE:

Enrique SILVA CIMMA,

Minister for Foreign Affairs of the Republic of Chile,

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

HAVE AGREED AS FOLLOWS:

*Article 1***Democratic basis for cooperation**

Cooperation ties between the Community and Chile and this Agreement in its entirety are based on respect for the democratic principles and human rights which inspire the domestic and external policies of both the Community and Chile.

*Article 2***Economic cooperation**

1. The Contracting Parties, taking into account their mutual interest and long- and medium-term economic objectives, undertake to establish economic cooperation of the widest possible scope. The aims of such cooperation shall be in particular:

- (a) generally to step up and diversify economic links between them;
- (b) to contribute to the development of their respective economies and standards of living;
- (c) to open up new markets and new sources of supply;
- (d) to encourage the flow of investment;
- (e) to promote cooperation between economic operators, particularly small and medium-sized enterprises;
- (f) to create new jobs, especially in the most disadvantaged sectors, and for young people and women;
- (g) to protect and improve the environment;
- (h) to encourage rural development, including an increase in agricultural and food production.

2. Without excluding any area from the outset, the Contracting Parties shall determine by common agreement the spheres to be covered by economic cooperation. Cooperation shall centre particularly on the following:

- (a) energy and mining;
- (b) agriculture, fisheries and forestry;
- (c) industry, especially the capital goods and other industries connected with the sectors referred to in (a) and (b) and also support services;
- (d) financial, banking and insurance services;
- (e) activities connected with transport, telecommunications, telematics, tourism and other tertiary industries;

(f) intellectual and industrial property;

(g) quality standards and control.

3. In the interests of attaining the objectives of economic cooperation, the Contracting Parties shall, each in accordance with its law, endeavour to promote activities including the following:

- (a) a continuous exchange of views and information in connection with cooperation, primarily by gaining access to existing data bases or by setting up new ones;
- (b) setting up joint ventures;
- (c) negotiating agreements on transferring technology and on subcontracting and representation;
- (d) cooperation between financial institutions;
- (e) conventions between the Member States of the Community and Chile to prevent double taxation;
- (f) organizing visits, meetings and activities for promoting cooperation between individuals and delegations representing firms or economic organizations, and creating the appropriate machinery and institutions;
- (g) organizing seminars and meetings between businessmen, arranging and holding specialized fairs, exhibitions and symposia, and promoting contacts between economic operators at these events;
- (h) participation by the enterprises of one of the Contracting Parties in the fairs and exhibitions of the other Party;
- (i) consultancy services and the provision of technical assistance, particularly for trade promotion and marketing.

*Article 3***Industrial cooperation**

The Contracting Parties agree to promote the widening and diversification of Chile's production in the industrial and service sectors, directing their cooperation activities at small and medium-sized enterprises in particular and encouraging steps to facilitate access on the part of these enterprises to sources of capital, to markets and to the appropriate technology. These steps may include the joint establishment of suitable machinery and institutions.

*Article 4***Cooperation regarding the environment**

1. The Contracting Parties undertake to cooperate on the improvement and protection of the environment, addressing the issues of water, soil and air pollution,

erosion, desertification and deforestation, and the excessive exploitation of natural resources.

2. To this end, the Contracting Parties shall direct their efforts as regards the environment towards the following in particular:

- (a) the establishment and improvement of environmental protection structures in the public and private sectors;
- (b) the development and improvement of laws, regulations and standards;
- (c) research, training and information; altering public opinion to the issues in question;
- (d) the execution of studies and projects and the provision of technical assistance;
- (e) the organization of meetings, seminars, workshops, conferences and visits among civil servants, specialists, engineers, businessmen and others fulfilling functions connected with the environment.

Article 5

Investment

The Contracting Parties agree:

- (a) to promote, so far as their powers, rules and regulations and policies permit, an increase in mutually beneficial investment;
- (b) to improve further the favourable climate for mutual investment between the Community Member States and Chile, particularly by seeking agreements for the promotion and protection of such investment on a basis of non-discrimination and reciprocity.

Article 6

Cooperation on science and technology

1. In accordance with their mutual interest and the aims of their development strategy, the Contracting Parties undertake to promote cooperation on science and technology, in the interests of helping:

- (a) to make it easier for scientists to take part in exchanges and move back and forth between the Community and Chile;
- (b) to establish permanent links between both Parties' scientific and technological communities;
- (c) to foster the transfer of technology;

(d) to create links between the Parties' research centres in order to solve jointly problems of concern to both sides;

(e) to open up opportunities for economic, industrial and trade cooperation;

(f) to strengthen scientific and technological capacity and stimulate innovation.

2. Without excluding any area from the outset, the Contracting Parties shall together determine the spheres to be covered by cooperation. Cooperation shall include the following in particular:

- (a) high-level science and technology, notably in fields such as biotechnology, new materials, microelectronics, data-processing and telecommunications;
- (b) improving research capacity in areas which it is lacking;
- (c) making and managing policy on science and technology;
- (d) promoting efficient use of natural resources;
- (e) helping repatriate Chilean scientists living abroad who wish to return home;
- (f) promoting regional integration and cooperation in science and technology;
- (g) disseminating information and expertise in science and technology;
- (h) technological development in the spheres of agriculture, agro-industry and marine science;
- (i) links between higher education and research establishments and the productive sector.

3. The Contracting Parties shall facilitate and encourage measures aimed at furthering the objectives of scientific and technological cooperation between them, in particular:

- (a) joint research projects between the Parties' research centres and other appropriate institutions;
- (b) training for scientists, particularly in the form of research periods in the research centres of the other Contracting Party;
- (c) the exchange of scientific information, particularly in the form of jointly organized seminars, working meetings and conferences, bringing together prominent scientists from the two Contracting Parties.

4. The Contracting Parties undertake to lay down appropriate procedures to bring about the greatest possible degree of participation by their scientists and research centres in cooperation between them.

Article 7

Trade promotion

The Contracting Parties undertake to develop and diversify trade to the highest possible degree, taking into account the economic situation of each of the Parties and facilitating trade transactions between them as far as possible.

Article 8

Most-favoured-nation treatment

The Contracting Parties shall grant each other most-favoured-nation treatment in trade, in accordance with the General Agreement on Tariffs and Trade (GATT).

Article 9

Temporary admission of goods

The Contracting Parties undertake to give consideration to granting exemption from import duties and taxes for goods temporarily imported into their territory which are covered by the relevant international conventions.

Article 10

Trade cooperation

1. The Contracting Parties agree to examine ways and means of eliminating barriers to trade between them, particularly non-tariff and para-tariff barriers, taking account of the work done in this connection by international organizations. They shall also examine, in a constructive spirit, both bilaterally and multilaterally, any trade difficulties that might arise between them, including those resulting from the application of health, plant health or environmental measures.

2. More specifically, the Contracting Parties commit themselves, each in accordance with its laws, to a policy aimed at, *inter alia*:

- (a) cooperating bilaterally and multilaterally in the field of intellectual and industrial property, including origin-related designations;
- (b) facilitating cooperation between their respective customs services, particularly in respect of vocational training, simplification of procedure and detection of infringements;

(c) taking each other's interests into account in relation to supply of resources;

(d) laying the foundations for improving the terms of access for their products to their respective markets;

(e) encouraging contacts between economic operators in order to diversify and increase reciprocal flows of trade in the various production sectors: agricultural, forestry, mining and industrial;

(f) examining, making recommendations on and implementing measures for trade promotion in the interests of stimulating the development of imports and exports;

(g) as far as possible taking into consideration each other's opinion on measures likely to have an adverse effect on trade between them.

Article 11

Cooperation on social development

1. The Contracting Parties shall establish cooperation in the field of social development in order to improve the standard of living and quality of life of the most underprivileged sections of society.

2. Action to achieve this objective may include, *inter alia*, support for the following measures, especially in the form of technical assistance:

- (a) management and administration of social services;
- (b) vocational training and job-creation programmes;
- (c) setting up grassroots organizations and promoting their activities;
- (d) programmes or projects to improve housing in urban and rural areas;
- (e) drug abuse control and information campaigns;
- (f) preventive health programmes.

Article 12

Cooperation concerning government

1. The Contracting Parties shall cooperate in contributing to the rationalization and modernization of government service at national, regional and local level.

2. To attain these objectives, the Contracting Parties shall promote, *inter alia*, the following activities:

- (a) the provision of technical assistance for projects aimed at reforming or improving the operation of government service;
- (b) meetings, visits, exchanges, seminars and training courses for civil servants and the staff of public institutions and governments departments.

Article 13

Cooperation on information and communication

The Contracting Parties shall establish cooperation in the field of information and communication, taking account of the cultural dimension of their relations.

Article 14

Training

1. Cooperation established within the framework of this Agreement shall include appropriate training. The Contracting Parties shall also set up specific training programmes in spheres of mutual interest.

2. Such action shall first and foremost be aimed at training personnel, teachers or staff in positions of responsibility in firms, government departments, public services and other areas of economic and social activity. It may include promoting cooperation agreements between European and Chilean higher education and training institutes, particularly those in the technical, scientific and vocational training sectors.

Article 15

Regional cooperation and integration

1. Cooperation between the Contracting Parties may extend to action undertaken within the context of cooperation or integration agreements with other countries in the same region, provided that such action is compatible with those agreements.

2. Without discounting any sphere of activity, the following action shall be given particular consideration:

- (a) cooperation on environmental issues at regional level;
- (b) development of intra-regional trade;
- (c) the strengthening of regional public and private sector institutions and the provision of support for undertaking common policies and activities;
- (d) regional communications.

Article 16

Resources for undertaking cooperation

In order to facilitate the achievement of the aims set out in this Agreement, the Contracting Parties shall make available, within the limits of their abilities and through their own channels, the appropriate resources, including financial resources.

Article 17

Joint cooperation committee

1. A joint cooperation committee shall be established, consisting of representatives of the Community and of Chile. It shall meet once a year, alternately in Brussels and Santiago, on a date fixed by mutual agreement. Extraordinary meetings may be convened by agreement between the Contracting Parties.

2. The joint committee shall see to the proper functioning of this Agreement and shall examine all issues arising from its application. In fulfilling this role, its main functions will be to:

- (a) consider measures for developing and diversifying trade, in accordance with the objectives of this Agreement;
- (b) exchange views on any points of common interest regarding trade and cooperation, including future programmes and the resources for them;
- (c) make recommendations for promoting the expansion of trade and for intensified cooperation, without neglecting the need to coordinate the measures planned;
- (d) in general terms, recommend solutions aimed at helping to attain the objectives of this Agreement.

3. The joint committee may set up specialized subcommittees and working parties to assist it in the performance of its duties.

*Article 18***Other agreements**

1. Without prejudice to the provisions of the Treaties establishing the European Communities, neither this Agreement nor any action taken under it shall in any way affect the powers of the Member States of the Communities to undertake bilateral activities with Chile in the field of economic cooperation with that country or, where appropriate, to conclude new economic cooperation agreements with Chile.

2. Subject to the provisions of paragraph 1 concerning economic cooperation, the provisions of this Agreement shall replace the provisions of the agreements concluded between the Member States of the Communities and Chile where such provisions are either incompatible with, or identical to, the provisions of this Agreement.

*Article 19***Territorial application**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other, to the territory of the Republic of Chile.

*Article 20***Future developments**

1. The Contracting Parties may by mutual consent expand this Agreement with a view to increasing the levels of cooperation and supplementing them, each in accordance with its laws, by means of agreements on specific sectors or activities.

2. Within the framework of this Agreement, either of the Contracting Parties may put forward suggestions for widening the scope of cooperation, taking into account the experience gained in its application.

*Article 21***Entry into force and duration**

1. This Agreement shall enter into force on the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.

2. This Agreement shall be concluded for a period of five years. It shall be renewed on a yearly basis unless one of the Contracting Parties denounces it six months before the date of expiry.

*Article 22***Annexes**

Annexes I and II shall form an integral part of this Agreement.

*Article 23***Authentic languages**

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

En fe de lo cual, los plenipotenciarios abajo firmantes suscriben el presente Acuerdo Marco.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne rammeaftale.

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

Εἰς πιστῶση των ανωτέρω, οἱ υπογεγραμμένοι πληρεξούσιοι ἔθεσαν τῖς υπογραφές τους στὴν παρούσα συμφωνία-πλαίσιο.

In witness whereof the undersigned Plenipotentiaries have signed this Framework Agreement.

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

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

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Kader-overeenkomst hebben gesteld.

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

Hecho en Roma, el veinte de diciembre de mil novecientos noventa.

Udfærdiget i Rom, den tyvende december nitten hundrede og halvfems.

Geschehen zu Rom am zwanzigsten Dezember neunzehnhundertneunzig.

Έγινε στὴ Ρώμη, στὶς εἴκοσι Δεκεμβρίου χίλια εννιακόσια ενενήντα.

Done at Rome on the twentieth day of December in the year one thousand nine hundred and ninety.

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

Fatto a Roma, addì venti dicembre millenovecentonovanta.

Gedaan te Rome, de twintigste december negentienhonderd negentig.

Feito em Roma, em vinte de Dezembro de mil novecentos e noventa.

Por la Comunidad Económica Europea

For Det Europæiske Økonomiske Fællesskab

Für die Europäische Wirtschaftsgemeinschaft

Για την Ευρωπαϊκή Οικονομική Κοινότητα

For the European Economic Community

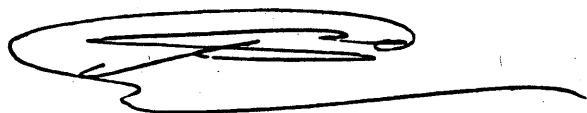
Pour la Communauté économique européenne

Per la Comunità economica europea

Voor de Europese Economische Gemeenschap

Pela Comunidade Económica Europeia

J. De Michelis



Por el Gobierno de la República de Chile

For regeringen for Republikken Chile

Für die Regierung der Republik Chile

Για την κυβέρνηση της Δημοκρατίας της Χιλής

For the Government of the Republic of Chile

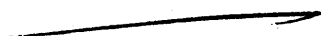
Pour le gouvernement de la république du Chili

Per il governo della Repubblica del Cile

Voor de Regering van de Republiek Chili

Pelo Governo da República do Chile

Alfredo



ANNEX I

Exchange of Letters on maritime transport

A. Letter No 1

Sir,

We should be grateful if you would kindly confirm your Government's agreement to the following:

With regard to the barriers to trade which may arise for the European Economic Community and its Member States or the Republic of Chile as a result of the operation of maritime transport, it has been agreed that mutually satisfactory solutions on maritime transport should be sought with a view to promoting trade development.

To this end, it has likewise been agreed that the issue should be discussed by the joint committee.

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

*On behalf of the
Council of the European Communities*

B. Letter No 2

Sir,

I have the honour to confirm my Government's agreement to the following:

'With regard to the barriers to trade which may arise for the European Economic Community and its Member States or the Republic of Chile as a result of the operation of maritime transport, it has been agreed that mutually satisfactory solutions on maritime transport should be sought with a view to promoting trade development.

To this end, it has likewise been agreed that the issue should be discussed by the Joint Committee.'

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

*For the Government
of the Republic of Chile*

*ANNEX II***Declaration by the European Economic Community on the generalized system of preferences**

The European Economic Community confirms the importance of the generalized system of preferences — implemented by it in accordance with Resolution No 21 (II) of the Second United Nations Conference on Trade and Development — for the trade of developing countries.

With a view to enabling Chile to make the best and fullest possible use of the European Economic Community's preference system, the Community hereby declares its willingness to examine, in the joint committee, the possibility of identifying ways of enabling Chile to derive maximum benefit from the system in question.

COUNCIL DECISION

of 4 March 1991

on the conclusion, on behalf of the European Economic Community, of an Agreement between the European Economic Community and the European Atomic Energy Community, of the one part, and Romania, of the other part, on trade and commercial and economic cooperation

(91/159/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 negotiated between the European Economic Community and the European Atomic Energy Community, of the one part, and Romania, of the other part, on trade and commercial and economic cooperation is necessary to achieve the Community's external relations objectives;

Whereas it appears that some of the economic cooperation measures provided for in that Agreement fall outside the scope of the powers provided for in the context of the common commercial policy,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and the European Atomic Energy Community,

of the one part, and Romania, of the other part, on trade and commercial and economic cooperation is hereby approved on behalf of the European Economic Community.

The text of the Agreements attached to this Decision.

Article 2

The President of the Council shall give, on behalf of the European Economic Community, the notification provided for in Article 25 of the Agreement ⁽²⁾.

Article 3

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

Done at Brussels, 4 March 1991.

*For the Council**The President*

J. F. POOS

⁽¹⁾ Opinion delivered on 22 February 1991 (not yet published in the Official Journal).

⁽²⁾ See page 29 of this Official Journal.

AGREEMENT

between the European Economic Community and the European Atomic Energy Community, of the one part, and Romania, of the other part, 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

ROMANIA, of the other part,

RECOGNIZING that Romania and the Community desire to promote and extend further the direct contractual relations established between them by the Agreements on the establishment of the joint committee and on trade in industrial products signed on 28 July 1980 and to establish a wider framework for commercial and economic cooperation,

RECALLING the traditional trade and economic links between the Community and Romania, and taking into account the Parties' respective levels of economic development,

TAKING INTO ACCOUNT the favourable implications for trade and economic relations between the Contracting Parties of the economic reforms under way in Romania and of the Parties' respective economic policies,

DESIRIOUS 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,

HAVING REGARD to the particular importance of foreign trade and other forms of international economic cooperation as factors of economic and social development,

HAVING REGARD to the importance of giving full effect to the Final Act of the Conference on Security and Cooperation in Europe, the Concluding Document of the Madrid meeting and the Concluding Document of the Vienna meeting,

REAFFIRMING the commitment of the Contracting Parties in the General Agreement on Tariffs and Trade and to the Protocol for the accession of Romania thereto,

BELIEVING that a further impetus should be given to the trading and economic relationship between the Community and Romania, in the spirit of the Concluding Document of the Bonn CSCE Conference on economic cooperation in Europe,

RECOGNIZING that the Community and Romania desire to establish wider-ranging and closer contractual links that permit further development at a later stage,

HAVE DECIDED to conclude this Agreement, and to this end have designated as their plenipotentiaries:

THE EUROPEAN ECONOMIC COMMUNITY:

Gianni DE MICHELIS

Minister for Foreign Affairs of the Italian 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,

ROMANIA,

Petre ROMAN,

Prime Minister of Romania,

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

HAVE AGREED AS FOLLOWS:

Article 1

The Contracting Parties agree to facilitate and promote trade and economic cooperation with each other.

Article 2

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

2. This Agreement shall not affect the provisions of the existing Agreement between the European Economic Community and Romania on trade in textile products, which has been provisionally applied since 1 January 1987, nor the provisions of Exchanges of Letters or other arrangements on trade in textile products concluded subsequently, for the period of application of these provisions; furthermore, should the Community invoke paragraph 24 of the Protocol extending the Arrangement regarding International Trade in Textiles of 31 July 1986, only the provisions of the said Arrangement shall apply, to the exclusion of all provisions of this Agreement.

Not later than six months before the expiry of the Agreements concerning trade in textile products referred to above, the Contracting Parties shall consult each other with a view to determining the arrangements to be applied to trade in textile products after the expiry of the said Agreements.

3. This Agreement shall not affect specific agreements or arrangements covering agricultural products in force between the Contracting Parties, or any successor agreements or arrangements.

TITLE I

Trade

Article 3

1. Unless otherwise specified in this Agreement, trade between the Contracting Parties shall be conducted in compliance with their respective regulations.

2. In the framework of their respective laws and regulations, the Contracting Parties shall adopt measures to ensure the harmonious development and the diversification of their mutual trade.

3. To that end, each Party confirms its resolve to consider in a spirit of cooperation suggestions made by the other in connection with attaining these aims.

Article 4

The Contracting Parties reaffirm their commitment to according each other most-favoured-nation treatment in accordance with the General Agreement on Tariffs and Trade (GATT) and the Protocol for the accession of Romania thereto.

Article 5

Each Contracting Party shall accord the highest degree of liberalization which it generally applies to third countries to imports of the other's products, taking into account the provisions of the GATT and of the Protocol for the accession of Romania thereto; to this end, the Community undertakes to phase out the quantitative restrictions

referred to in Article 3 (a) of the Protocol for the accession of Romania to the GATT in accordance with the provisions and in respect of the products referred to in Articles 7 to 11 of this Agreement.

Article 6

The process of liberalization shall take account of the provisions of the GATT, the trend of trade between the two Parties, any changes in market conditions and rules concerning trade in Romania or in the Community, and progress made in applying the Agreement.

Article 7

The Community undertakes to eliminate, by the end of the first year following the entry into force of this Agreement at the latest, the quantitative restrictions on imports into these regions of the Community and of these products listed in Annex I.

Article 8

The Community undertakes to suspend within one year of the entry into force of the Agreement the application of the quantitative restrictions on imports of the products listed in Annex II into the regions indicated in that Annex on the conditions specified therein.

Article 9

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

2. The two Parties shall hold consultations each year in the joint committee referred to in Article 22 to determine what further liberalization there should be for the following year and, barring exceptions, to determine gradual and regular increases in the quotas for products subject to the quantitative restrictions referred to in Article 5.

Article 10

Before the end of June 1992 the Contracting Parties shall examine in the framework of the joint committee referred to in Article 22 those of the quantitative restrictions referred to in Article 5 still maintained at that time, with a view to determining what changes might be made to the existing import arrangements.

Article 11

The Community undertakes to eliminate by 31 December 1995 at the latest those of the quantitative restrictions referred to in Article 5 which still remain, with the exception of those relating to a limited number of products which might be deemed sensitive at that time.

Should the need arise, 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 imports of these products.

Article 12

Imports into the Community of products covered by this Agreement shall not be charged against the quotas referred to in Article 9 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

Taking into account the importance of their trade in agricultural products and the implications of multilateral negotiations in the GATT, the Contracting Parties shall examine in the joint committee referred to in Article 22 the possibility of giving their assent to agricultural trade concessions, product by product and on the basis of Article 4 of this Agreement, in a reciprocal and orderly manner.

Article 14

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

Article 15

1. The Contracting Parties shall consult each other if any product is being imported in trade between the Community and Romania in such increased quantities or under such conditions as to cause or threaten to cause serious injury to domestic producers of like or directly competitive products.

2. The Contracting Party requesting the consultations shall supply the other Party with all the information required for a detailed examination of the situation.

3. The consultations requested pursuant to paragraph 1 shall be held with due regard for the fundamental aims of the Agreement and shall be completed not later than 30 days from the date of notification of the request by the party concerned, unless the Parties agree otherwise.

4. If, as a result of such consultations, it is agreed that the situation referred to in paragraph 1 exists, exports shall be limited or such other action taken as will prevent or remedy the injury, which may include action with respect to the price at which the exports are sold.

5. If, following action under paragraphs 1 to 4 above, agreement is not reached between the Contracting Parties, the Contracting Party which requested the 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 depart from its obligations towards the first Party in respect of substantially equivalent trade.

6. In critical circumstances, where delay could cause damage difficult to repair, such preventive or remedial action may be taken provisionally without prior consultation, on the condition that consultation shall be effected immediately after taking such action.

7. In the selection of the measures under this Article, the Contracting Parties should give priority to those which cause the least disturbance to the functioning of this Agreement.

8. Where necessary, the Contracting Parties may hold consultations to determine when the measures adopted pursuant to paragraphs 4, 5 and 6 shall cease to apply.

9. If, after the procedures provided for in this Article have been exhausted, the Contracting Parties still disagree about measures adopted pursuant to this Article, the Community and Romania may refer this disagreement to the Contracting Parties of the GATT in accordance with Articles XIX of the GATT and Article 4 of the Protocol for the accession of Romania to the GATT.

Article 16

The Contracting Parties shall inform each other of any changes in their tariff or statistical nomenclature or of any decision adopted in accordance with the procedures in force which relates to the classification of products covered by this Agreement.

TITLE II

Commercial cooperation

Article 17

1. The Contracting Parties shall make every effort to promote, expand and diversify their commercial and economic cooperation on the basis of non-discrimination and reciprocity. The joint committee established under Article 22 of this Agreement will attach special importance to examining ways of encouraging a reciprocal and harmonious expansion of trade.

2. In furtherance of the aims of this Article and within the limits of their respective powers, the Contracting Parties agree that they shall maintain and improve favourable business relations, facilities and practices for each other's firms or companies on their respective markets, by means of the following measures:

- ensuring publication and facilitating exchanges of commercial and economic information on all matters which would assist the development of trade and economic cooperation, for example:
 - economic development programmes or forecasts,
 - general and sectoral import arrangements,
 - economic and commercial law, including regulations on markets and companies,
 - macroeconomic information and statistics, in particular production, consumption and foreign trade statistics,
- facilitating cooperation between their respective customs services, in particular in the field of vocational training,
- encouraging the development of contacts and links between companies, undertakings and other interested organizations of both sides which would contribute to realizing the aims of the Agreement,
- encouraging contacts between business associations of the Community and Romania.

3. 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 in their respective markets, *inter alia* as indicated in Annex III.

Article 18

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

- ensure suitable protection and the enforcement of industrial, commercial and intellectual property rights,
- ensure that their international commitments regarding industrial, commercial and intellectual property rights are honoured,
- encourage appropriate arrangements between undertakings and institutions within the Community and Romania with a view to due protection of industrial, commercial and intellectual property rights,
- encourage cooperation and exchanges of views between organizations and institutions responsible for industrial, commercial and intellectual property.

Article 19

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 companies or firms, enterprises and economic organizations of the Community and those of Romania,
- agree that when a dispute is submitted to arbitration, each party to the dispute may freely 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,
- shall encourage recourse to the arbitration rules elaborated by the United Nations Commission on International Trade Law (Uncital) 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.

TITLE III

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.

The objectives of such cooperation shall be, *inter alia*:

- to reinforce and diversify economic links between the Contracting Parties,

- to contribute to the development of their respective economies and standards of living,
- to open new sources of supply and new markets,
- to encourage cooperation between economic operators, with a view to promoting investment, joint ventures, licensing agreements and other forms of industrial cooperation to develop their respective industries,
- to encourage scientific and technological progress,
- to support structural changes in the Romanian economy in order to increase and diversify trade in goods and services within the Community,
- to encourage environmentally sound policies,
- to encourage the participation of small and medium-sized undertakings in trade and industrial cooperation.

2. In order to achieve these objectives, the Contracting Parties shall make efforts to encourage and promote economic cooperation in areas of mutual interest, in particular in the following sectors,

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

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

- fostering a favourable climate for investment, joint ventures and licensing arrangements, notably by the extension by the Member States of the Community and Romania of arrangements for investment promotion and protection, in particular for the transfer of profits and the repatriation of invested capital, on the basis of the principles of non-discrimination and reciprocity,
 - facilitating exchanges and contacts between persons and delegations representing commercial, economic, educational, training or other relevant organizations,
 - encouraging and facilitating trade promotion activities, such as the organization of seminars, fairs or exhibitions, symposia and business weeks,
 - promoting activities involving the provision of technical expertise in specific areas,
 - facilitating the conduct of market research and other marketing activities on their respective territories,
 - encouraging, in accordance with the respective laws and policies of the Contracting Parties, joint research and development activities, the exchange of information and contacts between scientists, research and educational establishments and businesses,
 - facilitating cooperation between businesses on the markets of third countries.
- (b) The joint committee shall formulate recommendations by mutual agreement between the Contracting Parties.
 - (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 Bucharest alternately. Special meetings may be convened by mutual agreement, at the request of either Contracting Party. The joint committee shall be chaired alternately by each of the Contracting Parties. Wherever possible, the agenda for the meetings of the joint committee shall be agreed beforehand.
 - (e) The joint committee may decide to set up working groups to assist it in carrying out its duties.

2. (a) The joint committee shall ensure the proper functioning of this Agreement and the arrangements connected with it, and shall devise and recommend practical 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 diversity, the trade balance and the various forms of trade and trade promotion,
- make recommendations on any issue of mutual concern relating to trade or commercial or economic cooperation,
- 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 Romania,
- exchange information on the macroeconomic forecasts relating to the two Parties' economies which have an impact on trade and cooperation and, by extension, on the scope for developing complementarity between their respective economies and on proposed economic development programmes,

Article 21

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

TITLE IV

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 Romania, on the other.

- exchange information relating to 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 economic cooperation between the Contracting Parties on a basis of mutual advantage, and work towards the creation of favourable conditions for such cooperation,
- examine favourably ways of improving conditions for the development of direct contacts between undertakings established in the Community and those established in Romania,
- formulate and submit to the authorities of both Contracting Parties recommendations for solving any problems that arise, where appropriate by means of the conclusion of arrangements or agreements.

TITLE V

General and final provisions

Article 23

1. Upon its entry into force this Agreement shall replace the existing Agreements between the European Economic Community and Romania on the establishment of the joint committee and on trade in industrial products, done at Bucharest on 28 July 1980.

2. 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 Romania 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 Romania.

Article 25

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 five 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 Agreement in the form of an Exchange of Letters (Testausschreibung) and the Joint Declaration on Article 9 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 Romanian languages, each text being equally authentic.

Hecho en Luxemburgo, el veintidós de octubre de mil novecientos noventa.

Udfærdiget i Luxembourg, den toogtyvende oktober nitten hundrede og halvfems.

Geschehen zu Luxemburg am zweiundzwanzigsten Oktober neunzehnhundertneunzig.

Έγινε στο Λουξεμβούργο, στις είκοσι δύο Οκτωβρίου χίλια εννιακόσια ενενήντα.

Done at Luxembourg on the twenty-second day of October in the year one thousand nine hundred and ninety.

Fait à Luxembourg, le vingt-deux octobre mil neuf cent quatre-vingt-dix.

Fatto a Lussemburgo, addì ventidue ottobre millenovecentonovanta.

Gedaan te Luxemburg, de tweeëntwintigste oktober negentienhonderd negentig.

Feito no Luxemburgo, em vinte e dois de Outubro de mil novecentos e noventa.

Făcut la Luxemburg, douăzeci și doi octombrie una mie nouă sute nouăzeci

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

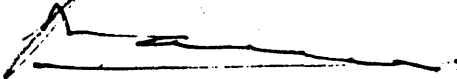
Per la Comunità economica europea

Voor de Europese Economische Gemeenschap

Pela Comunidade Económica Europeia

Pentru Comunitatea Economică Europeană

J. De Michelis



Por la Comunidad Europea de la Energía Atómica

For Det Europæiske Atomenergifællesskab

Für die Europäische Atomgemeinschaft

Για την Ευρωπαϊκή Κοινότητα Ατομικής Ενεργείας

For the European Atomic Energy Community

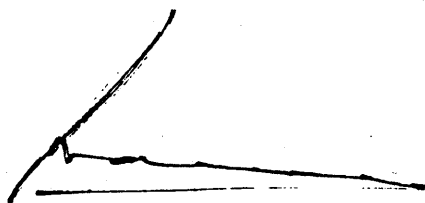
Pour la Communauté européenne de l'énergie atomique

Per la Comunità europea dell'energia atomica

Voor de Europese Gemeenschap voor Atoomenergie

Pela Comunidade Europeia da Energia Atómica

Pentru Comunitatea Europeană a Energici Atomice

A handwritten signature in black ink, consisting of a series of connected loops and a long horizontal stroke at the end.

Por Rumanía

For Rumænien

Für Rumänien

Για τη Ρουμανία

For Romania

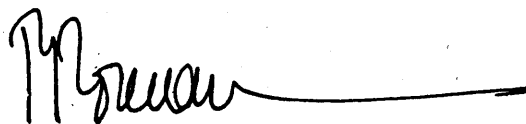
Pour la Roumanie

Per la Romania

Voor Roemenië

Pela Roménia

Pentru România

A handwritten signature in black ink, featuring a large, stylized initial 'M' followed by a long horizontal stroke.

ANNEX I

referred to in Article 7

BENELUX	FEDERAL REPUBLIC OF GERMANY	SPAIN (continued)	SPAIN (continued)
1704 90 30			7312 10 10
1704 90 51		3904 30 00	7312 90 10
1704 90 55	6205 90 10		
1704 90 61		3905 20 00	
1704 90 65	6206 90 10		8452 40 00
1704 90 71		3906 10 00	
1704 90 75	6403 40 00	3906 90 00	8546 10 00
1704 90 81	6403 91 13		8546 20 91
1704 90 99	6403 91 16	3912 11 00	8546 20 99
	6403 91 18	3912 12 00	8546 90 10
	6403 99 93	3912 20 11	8546 90 90
1806 10 10	6403 99 96	3912 20 19	
1806 10 30	6403 99 98	3912 31 00	8701 20 10
1806 10 90		3912 39 10	8701 20 90
1806 20 10	6902 10 00	3912 39 90	
1806 20 30		3912 90 10	
1806 20 50	6912 00 90	3912 90 90	GREECE
1806 20 70			
1806 90 11	7202 41 10		8407 29 10
1806 90 60		3914 00 00	8407 29 30
1806 90 70	7214 10 00		8407 33 10
1806 90 90		3916 90 90	8407 34 10
	8901 10 90		8407 90 10
1901 10 00	8901 20 90	3917 29 19	8407 90 50
1901 90 90	8901 30 90	3917 32 51	8407 90 91
	8901 90 91	3917 39 19	8407 90 93
	8901 90 99		
1904 10 10		3920 20 71	8408 10 10
1904 10 30	8902 00 90	3920 30 00	8408 10 21
1904 10 90		3920 51 00	8408 10 25
1904 90 10	9025 11 91	3920 59 00	8408 20 10
1904 90 90		3920 71 90	8408 20 31
	9503 30 10	3920 72 00	8408 90 29
6911 10 00	9503 49 10	3920 73 10	8408 90 31
6911 90 00	9503 60 10	3920 73 50	
	9503 90 99	3920 73 90	8702 10 11
		3920 79 00	8702 10 19
7010 90 21		3920 91 00	8702 10 91
7010 90 99			8702 90 19
	SPAIN		8702 90 31
7017 20 00		3921 11 00	8702 90 39
7017 90 00	1302 19 30	3921 14 00	
			8703 10 10
7905 00 11	1704 90 30	4420 90 11	8703 21 10
7905 00 19	1704 90 51	4420 90 19	8703 21 90
7905 00 90	1704 90 55		8703 22 10
	1704 90 61	7202 60 00	8703 22 90
	1704 90 65		8703 23 10
8501 20 10	1704 90 71		8703 23 90
8501 31 10	1704 90 75	7207 19 39	8703 24 10
8501 32 10	1704 90 81		8703 24 90
8501 33 10	1704 90 99	7304 31 10	8703 31 10
8501 40 10		7304 39 20	8703 31 90
8501 51 90		7304 41 10	8703 32 10
8501 52 10	2707 20 10	7304 49 30	8703 32 90
8501 52 91	2707 30 10	7304 51 30	8703 33 10
8501 52 93	2707 50 10	7304 59 50	8703 33 90
8501 52 99		7304 90 10	8703 90 90
8501 53 10	3602 00 00		
8501 53 91		7306 30 10	8707 10 10
8501 53 99	3604 10 00	7306 40 10	8707 10 90
	3604 90 00	7306 50 10	8707 90 10
		7306 60 10	8707 90 90
9605 00 00	3902 20 00		

IRELAND

0702 00 10
9404 10 00
9404 21 00
9404 90 90

ITALY

0701 90 51
0701 90 59

2009 11 19
2009 19 19

2205 90 10

2208 10 10
2208 90 91
2208 90 99

2209 00 91
2209 00 99

2402 10 00

2523 90 30

2704 00 10
2704 00 90

2707 20 10
2707 50 10
2707 50 99
2707 60 90

2815 11 00
2815 12 00

2824 10 00
2824 90 00

2833 22 00
2833 23 00
2833 30 10

2840 30 00

2849 90 90

2903 11 00
2903 21 00
2903 22 00
2903 23 00
2903 29 00
2903 30 10
2903 30 31
2903 30 39
2903 61 00
2903 62 00
2903 69 00

2905 12 00
2905 22 10
2905 22 90
2905 50 30

2907 22 90
2907 23 90
2907 29 90

ITALY

(continued)

2912 12 00
2912 50 00
2912 60 00

2914 11 00

2917 14 00

2918 14 00
2918 29 30
2918 29 90
2918 30 00

2931 00 00

2933 11 10
2933 90 70

2934 90 50
2934 90 80

3006 40 00
3006 60 90

3105 40 00
3105 60 10
3105 60 90
3105 90 10
3105 90 91
3105 90 99

3206 10 90
3206 20 90
3206 30 00
3206 41 00
3206 43 00
3206 50 00

3403 19 10

3410 35 00
3410 39 90

3602 00 00

3603 00 90

3604 10 00
3604 90 00

3606 10 00
3606 90 10
3606 90 90

3703 10 00
3703 20 10

3704 00 90

3801 20 10

3803 00 90

3805 90 00

3808 20 10

3809 99 00

ITALY

(continued)

3811 11 90
3811 19 00
3811 21 00
3811 29 00

3812 30 20
3812 30 80

3815 11 00
3815 12 00
3815 19 00
3815 90 00

3816 00 00

3818 00 10
3818 00 90

3819 00 00

3823 10 00
3823 60 00
3823 90 10
3823 90 20
3823 90 40
3823 90 60
3823 90 81
3823 90 85
3823 90 95

3912 11 00
3912 12 00
3912 31 00
3912 39 10
3912 39 90
3912 90 10
3912 90 90

3920 72 00
3920 73 10
3920 73 50
3920 73 90

3921 14 00

4002 99 10

4005 20 00

4012 90 10

4104 39 90

4407 99 31
4407 99 39

4501 10 00
4501 90 00

4802 20 00

4804 39 91

4805 60 10

6401 10 10
6401 10 90

6402 30 10

ITALY

(continued)

6402 30 90
6402 99 93
6402 99 96
6402 99 98

6403 91 13
6403 91 16
6403 91 18
6403 91 93
6403 91 96
6403 91 98
6403 99 33
6403 99 36
6403 99 38
6403 99 93
6403 99 96
6403 99 98

6404 20 10

6904 10 00
6904 90 00

6907 10 00
6907 90 10
6907 90 91
6907 90 93
6907 90 99

6908 90 11

7207 19 39

7211 30 90
7211 49 99

7212 10 99
7212 21 90
7212 29 90
7212 30 90
7212 50 10
7212 50 85
7212 60 93

7215 20 10
7215 20 90

7216 90 91

7303 00 10

7304 31 10
7304 39 10
7304 39 20
7304 39 30
7304 41 10
7304 49 10
7304 49 30
7304 51 11
7304 51 30
7304 59 10
7304 59 31
7304 59 50
7304 90 10

7306 30 10
7306 40 10
7306 50 10

ITALY (continued)	ITALY (continued)	ITALY (continued)	ITALY (continued)
7306 60 10	7907 90 00	8705 10 00	9306 30 99
		8705 40 00	9306 90 10
7312 90 10	8104 11 00	8705 90 10	9306 90 90
	8104 19 00		
		8706	Textile category 161
7604 10 10	8110 00 11		
7604 10 90		8707	
7604 21 00	8407 10 90		
7604 29 10	8407 21 11	8708	
7604 29 90	8407 21 19		UNITED
	8407 21 91		KINGDOM
7605	8407 21 99	8710 00 00	
	8407 29 30		0701 90 51
	8407 29 50	8714 20 00	0701 90 59
7606	8407 29 70	8714 91 10	
		8714 91 30	0702 00 90
7607	8408	8714 91 90	
		8714 92 10	0705 11 90
7608 10 10	8443 12 00	8714 92 90	0705 19 00
7608 10 91	8443 21 00	8714 93 10	0705 29 00
7608 10 99	8443 29 00	8714 93 90	
7608 20 10	8443 30 00	8714 94 10	0708 20 10
7608 20 91	8443 40 00	8714 94 30	0708 20 90
	8443 60 00	8714 95 00	
	8443 90 10	8714 96 10	0712 10 00
7609 00 00	8443 90 90	8714 96 90	
		8714 99 10	1105 10 00
7903 90 00	8452 40 00	8714 99 30	
		8714 99 50	2005 20 10
			2005 20 90
7904 00 00	8469 29 00	9306 10 00	
	8469 39 00	9306 29 10	8528 20 20
		9306 29 30	8528 20 71
7905 00 11	8543 10 00	9306 29 50	8528 20 73
7905 00 19	8543 80 10	9306 29 90	8528 20 79
7905 00 90	8543 90 10	9306 30 30	8528 20 91
		9306 30 95	8528 20 99
7906 00 00	8546 90 10		

ANNEX II

referred to in Article 8

BENELUX (System: automatic licensing arrangement — TLA)

6401 10 10
 6401 91 10
 6401 92 10
 6401 99 10

6402 30 10
 6402 91 10
 6402 99 10

7004 90 95
 7004 90 99

Textile category 125 A

ITALY

(System: automatic licensing arrangement — TLA)

4002 19 00

6403 19 00

(System: double-checking in accordance with the procedure in the Protocol to the Agreement of 28 July 1980 between the European Economic Community and the Socialist Republic of Romania on trade in industrial products, which Protocol will continue to be operational after the entry into force of this Agreement)

2917 34 10	4804 31 59	7004 10 30	7005 21 20
2917 35 00	4804 39 10	7004 10 50	7005 21 30
	4804 39 51	7004 10 90	7005 21 40
4410 10 10	4804 39 59	7004 90 50	7005 21 50
4410 10 30	4804 41 10	7004 90 70	7005 21 90
	4804 42 10	7004 90 91	7005 29 10
4804 11 11	4804 49 10	7004 90 93	7005 29 31
4804 11 15	4804 51 10	7004 90 95	7005 29 33
4804 11 19	4804 52 10	7004 90 99	7005 29 35
4804 19 11	4804 59 10		7005 29 91
4804 19 15			7005 29 93
4804 19 19		7005 10 10	7005 29 95
4804 19 31	4809 90 00	7005 10 31	7005 30 00
4804 19 35		7005 10 33	
4804 19 39	7003 11 90	7005 10 35	
4804 21 10	7003 19 90	7005 10 91	7006 00 90
4804 29 10	7003 20 10	7005 10 93	
4804 31 10	7003 20 90	7005 10 95	
4804 31 51	7003 30 00	7005 21 10	7016 90 10

ANNEX III

relating to Article 17 of the Agreement

Romania shall undertake to create conditions which facilitate trade cooperation, and *inter alia*, to:

1. grant non-discriminatory treatment for imports of products originating in the Community, particularly as regards the issuing of licences and the provision of foreign exchange to pay for such imports;
2. provide the Community with appropriate information, notably on import and investment intentions regarding sectors of Romanian industry that may be of interest to Community exporters;
3. encourage the activities of Community businessmen in Romania, establishing in particular closer contacts between representatives and experts of Community firms and their Romanian counterparts and final users;
4. encourage and facilitate, especially by practical means, trade promotion activities such as fairs and exhibitions in Romania;
5. promoting visits of individuals, groups and delegations involved in trade between the two Parties;
6. facilitate the entry, stay and movement of Community businessmen in Romania; facilitate free movement for Community businessmen and their families living in the country;
7. create the appropriate legislative framework to permit and encourage direct investment by Community firms in Romania;
8. facilitate the establishment and operation of offices of Community firms in Romania, particularly in connection with renting commercial premises; ensure non-discriminatory pricing relative to any third country for such facilities;
9. discourage countertrade or, at the very least, stress that the practice should be regarded as temporary and exceptional; if such transactions are unavoidable, all relevant information on the conditions and regulations governing them should be provided;
10. ensure non-discriminatory treatment in the award of contracts for the supply of goods or services consequent on international invitations to tender;
11. in connection with the activities covered by this Agreement, provide natural and legal persons from the Community with guarantees as to their individual and property rights, including the right of access in defence of these rights to the courts and appropriate administrative bodies, and ensure that all the relevant laws, rules and regulations are published.

AGREEMENT

in the form of an Exchange of Letters between the European Economic Community and Romania
concerning a new experimental import scheme ('Testausschreibung')

A. Letter from the Community

Brussels, ...

Sir,

Since the beginning of 1980 a new import scheme aimed at subsequent further 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 Romania attaches to the expansion of economic relations and Romania's contractual relations with the Community will be taken into consideration.

If, in particular instances, as a result of Romanian exports to the Federal Republic of Germany, market trends make it necessary to discontinue this practice, Romania will be informed to this effect immediately and prior consultation may take place if Romania 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 Romania

Brussels, ...

Sir,

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

'Since the beginning of 1980 a new import scheme aimed at subsequent further 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 Romania attaches to the expansion of economic relations and Romania's contractual relations with the Community will be taken into consideration.

If, in particular instances, as a result of Romanian exports to the Federal Republic of Germany, market trends make it necessary to discontinue this practice, Romania will be informed to this effect immediately and prior consultation may take place if Romania 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
Romania*

Joint Declaration on Article 9

The Community and Romania agree that the obligation contained in Article 9 for the Community to open quotas for imports from Romania of the products referred to in the said Article in no way prejudices the volume of the said import quotas.

Information concerning the entry into force of the trade and cooperation Agreement with Romania ⁽¹⁾

The Contracting Parties having notified each other on 12 March 1991 of the completion of the necessary legal procedures, the Agreement on trade and commercial and economic cooperation with Romania, signed in Luxembourg on 22 October 1990, will enter into force, pursuant to Article 25 thereof, on 1 May 1991.

⁽¹⁾ See page 13 of this Official Journal.

COMMISSION

COMMISSION DECISION

of 5 March 1991

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 Romania on trade and commercial and economic cooperation

(91/160/Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Article 1

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

The Agreement between the European Economic Community and the European Atomic Energy Community and Romania on trade and commercial and economic cooperation is hereby concluded on behalf of the European Atomic Energy Community.

Whereas the Agreement between the European Economic Community and the European Atomic Energy Community and Romania on trade and commercial and economic cooperation was signed on 22 October 1990;

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

Article 2

Whereas by Decision of 4 March 1991 the Council approved the said Agreement for the purposes of conclusion by the Commission on behalf of the European Atomic Energy Community;

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, 5 March 1991.

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

For the Commission

The President

Jacques DELORS

⁽¹⁾ See page 13 of this Official Journal.