

UNCTAD/DTCI/30(Vol.III)

UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT
Geneva

International Investment Instruments: A Compendium

**Volume III
Regional Integration, Bilateral and
Non-governmental Instruments**



UNITED NATIONS
New York and Geneva, 1996

TREATY ESTABLISHING THE EUROPEAN COMMUNITY^{*1}
[excerpts]

The Treaty Establishing the European Community (Treaty of Rome) was adopted on 25 March 1957 and entered into force on 1 January 1958. It was subsequently amended by the Single European Act and by the Treaty on European Union (Treaty of Maastricht). The Single European Act was signed on 17 and 28 February 1986 (in Luxembourg and The Hague, respectively) and entered into force on 1 July 1987. The Treaty on European Union was adopted in Maastricht on 7 February 1992 and entered into force on 1 November 1993. The member States of the European Community as of January 1995 were Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden and the United Kingdom. The text reproduced in this volume is the latest version of the Treaty Establishing the European Community, after the Treaty on European Union.

Contents

I -- Text of the Treaty

Preamble

Part One -- Principles

Part Two -- Citizenship of the Union

Part Three -- Community policies

Title I -- Free movement of goods

Chapter I -- The Customs Union

Section 1 -- Elimination of customs duties between Member States

Section 2 -- Setting-up of the Common Customs Tariff

^{*}**Source:** European Commission (1993). "Treaty Establishing the European Community", *European Union: Selected Instruments Taken from the Treaties*, Book 1, Volume 1 (Luxembourg: Office for Official Publications of the European Communities). The footnotes in the original text are indicated by asterisks. For editorial reasons, these have been replaced by consecutively numbered footnotes. The acronym "TEU" in the footnotes stands for "Treaty on European Union" [Note added by the editor].

¹Title as amended by Article G(1) TEU.

Chapter 2 -- Elimination of quantitative restrictions between Member States

Title II -- Agriculture

Title III -- Free movement of persons, services and capital

Chapter 1 -- Workers

Chapter 2 -- Right of establishment

Chapter 3 -- Services

Chapter 4 -- Capital and payments

Title IV -- Transport

Title V -- Common rules on competition, taxation and approximation of laws

Chapter 1 -- Rules on competition

Section 1 -- Rules applying to undertakings

Section 2 -- Dumping

Section 3 -- Aids granted by States

Chapter 2 -- Tax provisions

Chapter 3 -- Approximation of laws

Title VI -- Economic and monetary policy

Chapter 1 -- Economic policy

Chapter 2 -- Monetary policy

Chapter 3 -- Institutional provisions

Chapter 4 -- Transitional provisions

Title VII -- Common commercial policy

Title VIII -- Social policy, education, vocational training and youth

Chapter 1 -- Social provisions

Chapter 2 -- The European Social Fund

Chapter 3 -- Education, vocational training and youth

Title IX -- Culture

Title X -- Public health

Title XI -- Consumer protection

Title XII -- Trans-European networks

Title XIII -- Industry

Title XIV -- Economic and social cohesion

Title XV -- Research and technological development

Title XVI -- Environment

Title XVII -- Development cooperation

Part Four -- Association of the overseas countries and territories

Part Five -- Institution of the Community

Title I -- Provisions governing the institutions

Chapter 1 -- The institutions

Section 1 -- The European Parliament

Section 2 -- The Council

Section 3 -- The Commission

Section 4 -- The Court of Justice

Section 5 -- The Court of Auditors

Chapter 2 -- Provisions common to several institutions

Chapter 3 -- The Economic and Social Committee

Chapter 4 -- The Committee of the Regions

Chapter 5 -- The European Investment Bank

Title II -- Financial provisions

Part Six -- General and final provisions

Setting-up of the institutions
Final provisions

Annexes

Annex I -- Lists A to G referred to in Articles 19 and 20 of the Treaty
Annex II -- List referred to in Article 38 of the Treaty
Annex III -- List of invisible transactions referred to in Article 73h of the Treaty
Annex IV -- Overseas countries and territories to which the provisions of Part IV of the Treaty apply

II -- Protocols

Protocol (No A) on the Statute of the European Investment Bank
Protocol (No B) on the Statute of the Court of Justice of the European Community
Protocol (No 1) on the acquisition of property in Denmark
Protocol (No 2) concerning Article 119 of the Treaty establishing the European Community
Protocol (No 3) on the Statute of the European System of Central Banks and of the European Central Bank
Protocol (No 4) on the Statute of the European Monetary Institute
Protocol (No 5) on the excessive deficit procedure
Protocol (No 6) on the convergence criteria referred to in Article 109j of the Treaty establishing the European Communities
Protocol (No 7) amending the Protocol on the privileges and immunities of the European Communities
Protocol (No 8) on Denmark
Protocol (No 9) on Portugal
Protocol (No 10) on the transition to the third stage of economic and monetary union
Protocol (No 11) on certain provisions relating to the United Kingdom of Great Britain and Northern Ireland
Protocol (No 12) on certain provisions relating to Denmark
Protocol (No 13) on France
Protocol (No 14) on social policy
Protocol (No 15) on economic and social cohesion

PART ONE **PRINCIPLES**

Article 1

By this Treaty, the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN COMMUNITY.

Article 2²

The Community shall have as its task, by establishing a common market and an economic and monetary union and by implementing the common policies or activities referred to in Articles 3 and 3a, to promote throughout the Community a harmonious and balanced development of economic activities, sustainable and non-inflationary growth respecting the environment, a high degree of convergence of economic performance, a high level of employment and of social protection, the raising of the standard of living and quality of life, and economic and social cohesion and solidarity among Member States.

Article 3³

For the purposes set out in Article 2, the activities of the Community shall include, as provided in this Treaty and in accordance with the timetable set out therein:

- (a) the elimination, as between Member States, of customs duties and quantitative restrictions on the import and export of goods, and of all other measures having equivalent effect;
- (b) a common commercial policy;
- (c) an internal market characterized by the abolition, as between Member States, of obstacles to the free movement of goods, persons, services and capital;
- (d) measures concerning the entry and movement of persons in the internal market as provided for in Article 100c;
- (e) a common policy in the sphere of agriculture and fisheries;
- (f) a common, policy in the sphere of transport;
- (g) a system ensuring that competition in the internal market is not distorted;
- (h) the approximation of the laws of Member States to the extent required for the functioning of the common market;
- (i) a policy in the social sphere comprising a European Social Fund;
- (j) the strengthening of economic and social cohesion;

²As amended by Article G(2) TEU.

³As amended by Article G(3) TEU.

- (k) a policy in the sphere of the environment;
- (l) the strengthening of the competitiveness of Community industry;
- (m) the promotion of research and technological development;
- (n) encouragement for the establishment and development of trans-European networks;
- (o) a contribution to the attainment of a high level of health protection;
- (p) a contribution to education and training of quality and to the flowering of the cultures of the Member States;
- (q) a policy in the sphere of development cooperation;
- (r) the association of the overseas countries and territories in order to increase trade and promote jointly economic and social development;
- (s) a contribution to the strengthening of consumer protection;
- (t) measures in the spheres of energy, civil protection and tourism.

Article 3a⁴

1. For the purposes set out in Article 2, the activities of the Member States and the Community shall include, as provided in this Treaty and in accordance with the timetable set out therein, the adoption of an economic policy which is based on the close coordination of Member States' economic policies, on the internal market and on the definition of common objectives, and conducted in accordance with the principle of an open market economy with free competition.

2. Concurrently with the foregoing, and as provided in this Treaty and in accordance with the timetable and the procedures set out therein, these activities shall include the irrevocable fixing of exchange rates leading to the introduction of a single currency, the ECU, and the definition and conduct of a single monetary policy and exchange-rate policy the primary objective of both of which shall be to maintain price stability and, without prejudice to this objective, to support the general economic policies in the Community, in accordance with the principle of an open market economy with free competition.

3. These activities of the Member States and the Community shall entail compliance with the following guiding principles: stable prices, sound public finances and monetary conditions and a sustainable balance of payments.

⁴As inserted by Article G(4) TEU.

Article 3b⁵

The Community shall act within the limits of the powers conferred upon it by this Treaty and of the objectives assigned to it therein.

In areas which do not fall within its exclusive competence, the Community shall take action, in accordance with the principle of subsidiarity, only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community.

Any action by the Community shall not go beyond what is necessary to achieve the objectives of this Treaty.

PART THREE
COMMUNITY POLICIES

TITLE III
FREE MOVEMENT OF PERSONS, SERVICES AND CAPITAL

CHAPTER 2
RIGHT OF ESTABLISHMENT

Article 52

Within the framework of the provisions set out below, restrictions on the freedom of establishment of nationals of a Member State in the territory of another Member State shall be abolished by progressive stages in the course of the transitional period. Such progressive abolition shall also apply to restrictions on the setting-up of agencies, branches or subsidiaries by nationals of any Member State established in the territory of any Member State.

Freedom of establishment shall include the right to take up and pursue activities as self-employed persons and to set up and manage undertakings, in particular companies or firms within the meaning of the second paragraph of Article 58, under the conditions laid down for its own nationals by the law of the country where such establishment is effected, subject to the provisions of the Chapter relating to capital.

预览已结束，完整报告链接和二维码如下：

https://www.yunbaogao.cn/report/index/report?reportId=5_11166

