

No. 33523

**EUROPEAN ECONOMIC COMMUNITY
AND EUROPEAN ATOMIC ENERGY COMMUNITY
and
ROMANIA**

Agreement on trade and commercial and economic cooperation (with annexes, exchange of letters and joint declaration). Signed at Luxembourg on 22 October 1990

Termination of the above-mentioned Agreement

Authentic texts of the Agreement: Spanish, Danish, German, Greek, English, French, Italian, Dutch, Portuguese and Romanian.

The Agreement and the termination were registered by the Secretary-General of the Council of the European Union, acting on behalf of the Parties, on 15 January 1997.

**COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE
ET COMMUNAUTÉ EUROPÉENNE
DE L'ÉNERGIE ATOMIQUE
et
ROUMANIE**

Accord concernant le commerce et la coopération commerciale et économique (avec annexes, échange de lettres et déclaration commune). Signé à Luxembourg le 22 octobre 1990

Abrogation de l'Accord susmentionné

Textes authentiques de l'Accord : espagnol, danois, allemand, grec, anglais, français, italien, néerlandais, portugais et roumain.

L'Accord et l'abrogation ont été enregistrés par le Secrétaire général du Conseil de l'Union européenne, agissant au nom des Parties, le 15 janvier 1997.

AGREEMENT¹ 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 CO-OPERATION

THE EUROPEAN ECONOMIC COMMUNITY AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, hereinafter together called "the Community",

of the one part,

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 co-operation,

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,

DESIROUS of creating favourable conditions for the harmonious development and diversification of trade and the promotion of commercial and economic co-operation 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 co-operation as factors of economic and social development,

¹ Came into force on 1 May 1991 by notification, in accordance with article 25.

HAVING REGARD to the importance of giving full effect to the Final Act of the Conference on Security and Co-operation in Europe,¹ the Concluding Document of the Madrid meeting² and the Concluding Document of the Vienna meeting,³

REAFFIRMING the commitment of the Contracting Parties to the General Agreement on Tariffs and Trade⁴ and to the Protocol for the accession of Romania⁵ 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 co-operation in Europe,⁶

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;

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 co-operation 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.⁷

¹ *International Legal Materials*, vol. XIV (1975), p. 1292 (American Society of International Law).

² *Ibid.*, vol. XXII (1983), p. 1395 (American Society of International Law).

³ *Ibid.*, vol. XXVIII (1989), p. 527 (American Society of International Law).

⁴ United Nations, *Treaty Series*, vol. 55, p. 187.

⁵ *Ibid.*, vol. 807, p. 312.

⁶ *International Legal Materials*, vol. XXIX, No. 4 (1990), p. 1054 (American Society of International Law).

⁷ United Nations, *Treaty Series*, vol. 261, p. 140.

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 1986,¹ 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 1

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 co-operation suggestions made by the other in connection with attaining these aims.

¹ United Nations, *Treaty Series*, vol. 1441, p. 284.

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 those regions of the Community and of those products listed in Annex 1.

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.