

No. 26710

**CHINA
and
EUROPEAN ECONOMIC COMMUNITY**

Trade Agreement. Signed at Brussels on 3 April 1978

Authentic texts: Chinese, Danish, German, English, French, Italian and Dutch.

Registered by China on 11 July 1989.

**CHINE
et
COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE**

Accord commercial. Signé à Bruxelles le 3 avril 1978

Textes authentiques : chinois, danois, allemand, anglais, français, italien et néerlandais.

Enregistré par la Chine le 11 juillet 1989.

TRADE AGREEMENT¹ BETWEEN THE PEOPLE'S REPUBLIC OF CHINA AND THE EUROPEAN ECONOMIC COMMUNITY

The Government of the People's Republic of China and
The Council of the European Communities,

Desiring to develop economic relations and trade between the People's Republic of China and the European Economic Community on the basis of equality and the mutual advantage of the two Contracting Parties and to give a new impetus to their relations,

Have decided to conclude this Agreement the terms of which are as follows:

Article 1

The two Contracting Parties will endeavour, within the framework of their respective existing laws and regulations, to promote and intensify trade between them.

To this end they confirm their determination:

- (a) To take all appropriate measures to create favourable conditions for trade between them;
- (b) To do all they can to improve the structure of their trade in order to diversify it further, and
- (c) To examine, each for its own part and in a spirit of goodwill, any suggestions made by the other Party, in particular in the Joint Committee, for the purpose of facilitating trade between them.

Article 2

1. In their trade relations the two Contracting Parties shall accord each other most-favoured-nation treatment in all matters regarding:

- (a) Customs duties and charges of all kinds applied to the import, export, re-export or transit of products, including the procedures for the collection of such duties or charges;
- (b) Regulations, procedures and formalities concerning customs clearance, transit, warehousing and transshipment of products imported or exported;
- (c) Taxes and other internal charges levied directly or indirectly on products or services imported or exported;
- (d) Administrative formalities for the issue of import or export licences.

2. Paragraph 1 of this Article shall not apply in the case of:

- (a) Advantages accorded by either Contracting Party to States which together with it are members of a customs union or free trade area;
- (b) Advantages accorded by either Contracting Party to neighbouring countries for the purpose of facilitating border trade;

¹ Came into force on 1 June 1978, i.e., the first day of the month following the date on which the Contracting Parties had notified each other of the completion of the required legal procedures, in accordance with article 11.

- (c) Measures which either Contracting Party may take in order to meet its obligations under international commodity agreements.

Article 3

The two Contracting Parties will make every effort to foster the harmonious expansion of their reciprocal trade and to help, each by its own means, to attain a balance in such trade.

Should an obvious imbalance arise, the matter must be examined within the Joint Committee so that measures can be recommended in order to improve the situation.

Article 4

1. The People's Republic of China will give favourable consideration to imports from the European Economic Community. To this end the competent Chinese authorities will ensure that Community exporters have the possibility of participating fully in opportunities for trade with China.

2. The European Economic Community will strive for an increasing liberalisation of imports from the People's Republic of China. To this end it will endeavour progressively to introduce measures extending the list of products for which imports from China have been liberalized and to increase the amounts of quotas. The procedure for implementation will be examined within the framework of the Joint Committee.

Article 5

1. The two Contracting Parties shall exchange information on any problems that may arise with regard to their trade and shall open friendly consultations, with the intention of promoting trade, for the purpose of seeking mutually satisfactory solutions to those problems. Each of the two Contracting Parties will ensure that no action is taken before consultations are held.

2. In an exceptional case, however, where the situation does not admit any delay, either Contracting Party may take measures, but must endeavour as far as possible to hold friendly consultations before doing so.

3. Each Contracting Party will ensure that, when taking the measures referred to in paragraph 2, the general objectives of this Agreement are not prejudiced.

Article 6

The two Contracting Parties undertake to promote visits by persons, groups and delegations from economic, trade and industrial circles, to facilitate industrial and technical exchanges and contacts connected with trade and to foster the organization of fairs and exhibitions by both sides and the relevant provision of services. As far as possible they must grant each other the facilities concerning the above activities.

Article 7

Trade in goods and the provision of services between the two Contracting Parties shall be effected at market-related prices and rates.

Article 8

The Contracting Parties agree that payments for transactions shall be made, in accordance with their respective existing laws and regulations, in currencies of the Member States of the Community, Renminbi or any convertible currency accepted by the two parties concerned in the transactions.

Article 9

1. An EEC-China Joint Committee for Trade shall be set up, comprising representatives of the European Economic Community on the one hand and representatives of the People's Republic of China on the other.

2. The tasks of the Joint Committee shall be as follows:

- To monitor and examine the functioning of this Agreement;
- To examine any questions that may arise in the implementation of this Agreement;
- To examine problems that could hinder the development of trade between the Contracting Parties;
- To examine means and new opportunities of developing trade between the Contracting Parties and other problems relating to their trade; and
- To make recommendations that may help to attain the objectives of this Agreement.

3. The Joint Committee shall meet once a year, in Brussels and Peking alternately. Extraordinary 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 by each of the two Contracting Parties in turn. Where both Parties consider it necessary, the Joint Committee may set up working parties to assist it in its work.

Article 10

As far as the European Economic Community is concerned, this Agreement shall apply to the territories in which the Treaty establishing the European Economic Community is applied, and under the conditions laid down in that Treaty.

Article 11

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 legal procedures necessary for this purpose. It is concluded for a period of five years. The Agreement shall be tacitly renewed from year to year provided that neither Contracting Party notifies the other Party in writing of its denunciation of the Agreement six months before the date of expiry.

However, the Agreement may be amended by mutual consent of the two Contracting Parties in order to take account of new situations.

[For the testimonium and signatures, see p. 40 of this volume.]

为此，双方代表经正式授权，签署本协定，以资确认。

TIL BEKRÆFTELSE HERAF har undertegnede, som er behørigt befuldmægtigede hertil, underskrevet denne aftale.

ZU URKUND DESSEN haben die hierzu gehörig befugten Unterzeichneten dieses Abkommen unterschrieben.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Agreement.

EN FOI DE QUOI, les soussignés, dûment habilités à cette fin, ont signé le présent accord.

IN FEDE DI CHE, i sottoscritti, debitamente abilitati a tale fine, hanno firmato il presente accordo.

TEN BLIJKE WAARVAN de ondergetekenden, naar behoren daartoe gemachtigd, deze Overeenkomst hebben ondertekend.

本协定于一九七八年四月三日在布鲁塞尔签订，共两份，每份都用中文、德文、英文、丹麦文、法文、意大利文和荷兰文写成，各种文本具有同等效力。

UDFÆRDIGET i Bruxelles, den tredje april nitten hundrede og otteoghalvfjerds i to eksemplarer på kinesisk, dansk, engelsk, fransk, italiensk, nederlandsk og tysk, hvilke tekster alle har samme gyldighed.

GESCHEHEN zu Brüssel am dritten April neunzehnhundertachtundsiebzig in zwei Urschriften in chinesischer, dänischer, deutscher, englischer, französischer, italienischer und niederländischer Sprache, wobei jeder Wortlaut gleichermassen verbindlich ist.

DONE at Brussels on the third day of April in the year one thousand nine hundred and seventy-eight, in two copies in the Chinese, Danish, Dutch, English, French, German and Italian languages, each text being equally authentic.

FAIT à Bruxelles, le trois avril mil neuf cent soixante-dix-huit, en deux exemplaires, en langues chinoise, allemande, anglaise, danoise, française, italienne et néerlandaise, chacun de ces textes faisant également foi.

FATTO a Bruxelles, il terzo aprile millenovecentosettantotto, in due esemplari nelle lingue cinese, danese, francese, inglese, italiana, olandese e tedesca, ciascuno di questi testi facente ugualmente fede.

GEDAAN te Brussel, op drie april negentienhonderd achtenzeventig, in twee exemplaren, in de Chinese, Deense, Duitse, Engelse, Franse, Italiaanse en Nederlandse taal, zijnde alle teksten gelijkelijk authentiek.

中华人民共和国政府代表：

For regeringen for Den kinesiske Folkerepublik:

Für die Regierung der Volksrepublik China:

For the Government of the People's Republic
of China:Pour le Gouvernement de la République populaire
de Chine :

Per il Governo della Repubblica popolare cinese:

Voor de Regering van de Volksrepubliek China:

[*Signed — Signé*]

LI QIANG

欧洲共同体理事会代表：

For Rådet for De europæiske Fællesskaber:

Für den Rat der Europäischen Gemeinschaften:

For the Council of the European Communities:

Pour le Conseil des Communautés européennes :

Per il Consiglio delle Comunità Europee:

Voor de Raad van de Europese Gemeenschappen:

[*Signed — Signé*]

K. B. ANDERSEN

[*Signed — Signé*]

WILHELM HAFERKAMP