I

(Acts whose publication is obligatory)

TREATY

amending, with regard to Greenland, the Treaties establishing the European Communities

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE HELLENIC REPUBLIC,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Having regard to Article 96 of the Treaty establishing the European Coal and Steel Community,

Having regard to Article 236 of the Treaty establishing the European Economic Community,

Having regard to Article 204 of the Treaty establishing the European Atomic Energy Community,

Whereas the Government of the Kingdom of Denmark has submitted a proposal to the Council for the purpose of revising the Treaties establishing the European Communities so that they cease to apply to Greenland and introducing new arrangements governing relations between the Communities and Greenland;

Whereas, in view of the special features of Greenland, this proposal should be accepted by arrangements being introduced which permit close and lasting links between the Community and Greenland to be maintained and mutual interests, notably the development needs of Greenland, to be taken into account;

Whereas the arrangements applicable to overseas countries and territories set out in Part Four of the Treaty establishing the European Economic Community provide an appropriate framework for these relations, although additional specific provisions are needed to cater for Greenland,

HAVE DECIDED to determine by common agreement new arrangements applicable to Greenland and have, to this end, designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Leo TINDEMANS,

Minister for External Relations of the Kingdom of Belgium

HER MAJESTY THE QUEEN OF DENMARK:

Uffe ELLEMAN-JENSEN,

Minister for Foreign Affairs of Denmark

Gunnar RIBERHOLDT,

Ambassador Extraordinary and Plenipotentiary,

Permanent Representative of Denmark

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Hans-Dietrich GENSCHER,

Minister for Foreign Affairs of the Federal Republic of Germany

THE PRESIDENT OF THE HELLENIC REPUBLIC:

Theodoros PANGALOS,

Secretary of State for Foreign Affairs of the Hellenic Republic

THE PRESIDENT OF THE FRENCH REPUBLIC:

Roland DUMAS,

Minister for European Affairs of the French Republic

THE PRESIDENT OF IRELAND:

Peter BARRY,

Minister for Foreign Affairs of Ireland

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Giulio ANDREOTTI,

Minister for Foreign Affairs of the Italian Republic

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Colette FLESCH,

Minister for Foreign Affairs of the Government of the Grand Duchy of Luxembourg

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

W. F. van EEKELEN,

Secretary of State for Foreign Affairs of the Netherlands

H. J. Ch. RUTTEN,

Ambassador Extraordinary and Plenipotentiary,

Permanent Representative of the Netherlands

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

The Right Honourable Sir Geoffrey HOWE, QC, MP,

Secretary of State for Foreign and Commonwealth Affairs

WHO, having exchanged their full powers, found in good and due form, HAVE AGREED as follows:

Article 1

The following subparagraph shall be added to point (a) of the second paragraph of Article 79 of the Treaty establishing the European Coal and Steel Community:

'This Treaty shall not apply to Greenland.'

Article 2

Denmark shall be added to the Member States specified in the first sentence of the first paragraph of Article 131 of the Treaty establishing the European Economic Community.

Article 3

1. The following Article 136a shall be added to Part Four of the Treaty establishing the European Economic Community:

'Article 136a

The provisions of Articles 131 to 136 shall apply to Greenland, subject to the specific provisions for Greenland set out in the Protocol on special arrangements for Greenland, annexed to this Treaty.'

2. The Protocol on special arrangements for Greenland attached to this Treaty shall be annexed to the Treaty establishing the European Economic Community. Protocol 4 on Greenland, annexed to the Act of Accession of 22 January 1972, is hereby repealed.

Article 4

Greenland shall be added to the list in Annex IV to the Treaty establishing the European Economic Community.

Article 5

The following subparagraph shall be added to point (a) of the third paragraph of Article 198 of the Treaty establishing the European Atomic Energy Community:

'This Treaty shall not apply to Greenland.'

Article 6

1. This Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional requirements. The instruments of ratification shal be deposited with the Government of the Italian Republic.

2. This Treaty shall enter into force on 1 January 1985. If all the instruments of ratification have not been deposited by that date, this Treaty shall enter into force on the first day of the month following the deposit of the instrument of ratification by the last Signatory State to take this step.

Article 7

This Treaty, drawn up in a single original in the Danish, Dutch, English, French, German, Greek, Irish, and Italian languages, all eight texts being equally authentic, shall be deposited in the archives of the Government of the Italian Republic, which shall transmit a certified copy to each of the Governments of the other Signatory States.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne Traktat.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diesen Vertrag gesetzt.

Σε πίστωση των ανωτέρω οι υπογεγραμμένοι πληρεξούσιοι υπέγραψαν την παρούσα συνθήκη.

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

En foi de quoi, les plénipotentiaires soussignés ont apposé leur signature au bas du présent traité.

Dá fhianú sin, chuir na Lánchumhachtaigh thíos-sínithe a lámh leis an gConradh seo.

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

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

Udfærdiget i Bruxelles, den trettende marts nitten hundrede og fireogfirs.

Geschehen zu Brüssel am dreizehnten März neunzehnhundertvierundachtzig.

Έγινε στις Βρυξέλλες, στις δεκατρείς Μαρτίου χίλια εννιακόσια ογδόντα τέσσερα.

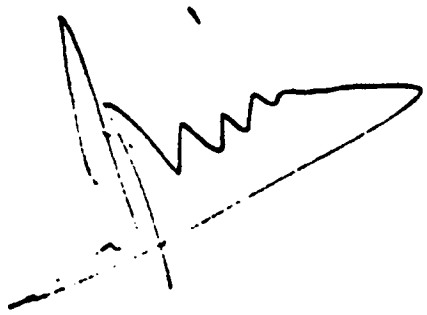
Done at Brussels on the thirteenth day of March in the year one thousand nine hundred and eighty-four.

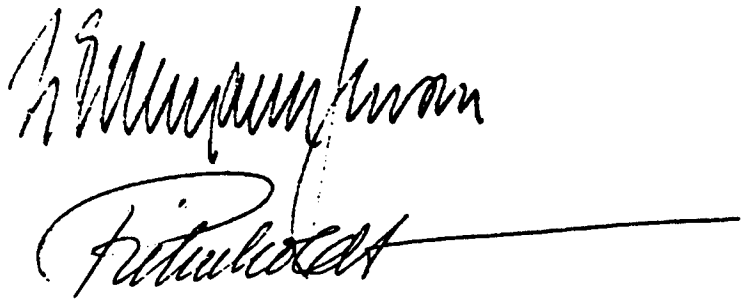
Fait à Bruxelles, le treize mars mil neuf cent quatre-vingt-quatre.

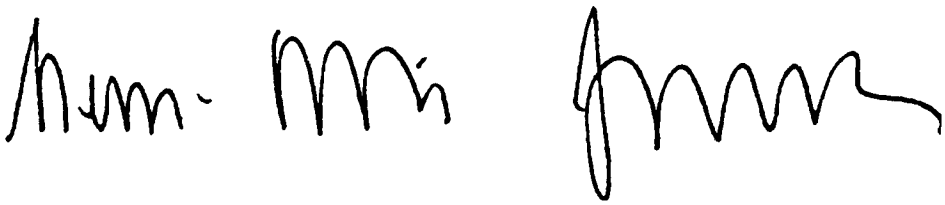
Arna dhéanamh sa Bruiséil an tríú lá déag de mhí Márta sa bhliain míle naoi gcéad ochtó a ceathair.

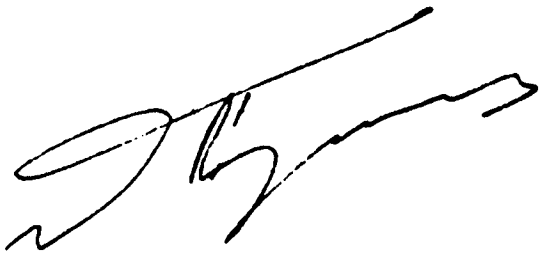
Fatto a Bruxelles, addì tredici marzo millenovecentottantaquattro.

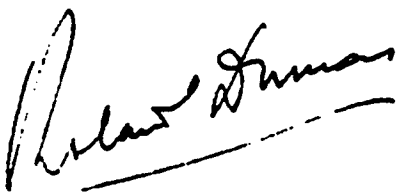
Gedaan te Brussel, de dertiende maart negentienhonderd vierentachtig.











PROTOCOL

on special arrangements for Greenland

Article 1

1. The treatment on import into the Community of products subject to the common organization of the market in fishery products, originating in Greenland, shall, while complying with the mechanisms of the common market organization, involve exemption from customs duties and charges having equivalent effect and the absence of quantitative restrictions or measures having equivalent effect if the possibilities for access to Greenland fishing zones granted to the Community pursuant to an agreement between the Community and the authority responsible for Greenland are satisfactory to the Community.

2. All measures relating to the import arrangements for such products, including those relating to the adoption of such measures, shall be adopted in accordance with the procedure laid down in Article 43 of the Treaty establishing the European Economic Community.

Article 2

The Commission shall make proposals to the Council, which shall act by a qualified majority, for the transitional measures which it considers necessary, by reason of the entry into force of the new arrangements, with regard to the maintenance of rights acquired by natural or legal persons during the period when Greenland was part of the Community and the regularization of the situation with regard to financial assistance granted by the Community to Greenland during that period.

Article 3

The following text shall be added to Annex I to the Council Decision of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community:

'6. Distinct community of the Kingdom of Denmark:

— Greenland.'