

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 377 final

Brussels, 15 June 1982

Recommendation for a

COUNCIL DECISION

concerning the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and Brazil concerning imports of manioc from Brazil and other supplier countries which are members of GATT

(submitted to the Council by the Commission)

COM(82) 377 final

EXPLANATORY MEMORANDUM

1. The Commission has already proposed that the Council conclude an Agreement in the form of an exchange of letters between the EEC and Indonesia concerning imports of manioc (COM(82)175) and a cooperation agreement on manioc with Thailand (COM(82)275).
2. Since then, the Commission has also negotiated an agreement with Brazil, the initial negotiator for the GATT concession, which has belatedly claimed the negotiating rights on manioc to which it was thereby entitled.
3. The draft agreement is broadly the same as the EEC-Indonesia Agreement.
4. The Commission proposes that the Council approve the conclusion of the Agreement in the form of an exchange of letters between the EEC and Brazil.

Recommendation

for a Council Decision concerning the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and Brazil concerning imports of manioc from Brazil and other supplier countries which are members of GATT

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas in the light of Community market trends for certain agricultural products measures should be taken to achieve greater stability on the market, in particular in respect of manioc;

Whereas to that end negotiations were conducted in accordance with Article XXVIII of GATT with a view to suspending temporarily the Community's tariff concession in respect of imports of products falling within subheading 07.06 A of the Common Customs Tariff;

Whereas in those negotiations agreement has been reached with Brazil in its capacity of initial negotiator;

Whereas the Agreement allows the Community not to restrict the quantities of products falling within subheading 07.06 A of the Common Customs Tariff which may be imported under the levy which is fixed at a maximum of 6 % ad valorem,

HAS DECIDED AS FOLLOWS :

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and Brazil concerning imports of manioc from Brazil and other supplier countries which are members of GATT is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Done at

For the Council

The President,

EXCHANGE OF LETTERS CONCERNING EEC IMPORTS OF MANIOC FROM BRAZIL AND OTHER GATT
SUPPLIERS

1. On 11 March 1981 the European Economic Community (EEC) notified the Director-General of GATT of its intention to negotiate a modification of its concession regarding imports of manioc and similar products under Common Customs Tariff heading 07.06 A.
- 2 In this respect the EEC and the Federal Republic of Brazil, in its quality as direct beneficiary of the existing binding laid down in schedule LXXII have agreed to the following :
 - a) a suspension of the existing binding laid down in schedule LXXII in respect of manioc and similar products under CCT heading 07.06 A;
 - b) the EEC will establish annual tariff quotas for imports of manioc and similar products under CCT heading 07.06 A from GATT suppliers as follows :

1982	588.235 tonnes
1983	882.355 tonnes
1984	882.355 tonnes
1985	970.590 tonnes
1986	970.590 tonnes
 - c) for imports of manioc from GATT suppliers within the quota limits at 2b) above the import levy will be fixed at a maximum of 6 % ad valorem. Imports over and above these limits will be subject to the variable levy foreseen in the EEC Common Organization of the Cereals market;

d) bearing in mind its international rights and obligations, the Community undertakes to ensure that the position of GATT suppliers on the EEC manioc market during the period covered by the present arrangements is not undermined by imports from non-GATT Members. In this context, the EEC intends to fix an autonomous quota for imports of manioc from non-GATT Members who are not already the subject of alternative bilateral arrangements ;

e) the arrangements at 2 a) b) c) and d) above will remain in force until 31 December 1986 and shall continue to run for subsequent three-year periods unless denounced by either party at least one year before expiry of the initial period or of any subsequent three-year period. However, before notifying the denunciation of the agreement, either party will enter into consultations with the other party in order to seek solutions or to agree upon amendments, which would make it possible to continue the agreement. Furthermore, at the request of either party consultations on trade in manioc may be held if deemed necessary.

In the case of accession of new members to the General Agreement on Tariffs and Trade, the tariff quotas for present GATT members resulting from the provisions of paragraph 2 b) above, will not be undermined.

