

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 726 final.

Brussels, 27 November 1981

Recommandation for a
COUNCIL REGULATION (EEC)

on the conclusion of the Additional Protocol to the Agreement between
the European Economic Community and the Republic of Peru on trade in
textile products consequent on the accession of the Hellenic Republic
to the Community

(submitted to the Council by the Commission)

COM(81) 726 final.

EXPLANATORY MEMORANDUM

1. Under the Act of Accession of Greece to the European Communities (Article 123), it was agreed that the Community would negotiate protocols of adaptation to the bilateral agreements on trade in textile products between the Community and third countries.
2. By Decision of 1 August 1980 the Council authorised the Commission to open negotiations with Peru to conclude an agreement on such adaptation.
3. In accordance with that Council Decision and in consultation with the Article 113 Committee, the Commission conducted negotiations with Peru from 22 September to 17 December 1980.

Following the negotiations, a draft Protocol was drawn up extending the terms of the original bilateral agreement to trade between Peru and the enlarged Community, thus (inter alia)

- increasing the existing voluntary restraint levels on exports to the whole Community to new agreed levels,
- extending the existing consultation procedures whereby new voluntary restraint measures may be introduced for categories of products not at present subject to limitation, where certain thresholds are exceeded, in respect of both the whole Community and Greece.

The heads of Delegation initialled the text of the draft Protocol on 17 December 1980 having noted it correctly represented the results of the negotiations.

4. The Protocol has already been implemented by Council Regulation (EEC) No 3553/80 of 22 December 1980 (1) amending the existing régime established by Regulation (EEC) No 3059/78 of 21 December 1978 (2).

5. The Commission considers that the draft Protocol embodies an arrangement which is acceptable to the Community. It therefore recommends that the Council:

- (i) approve the Protocol by adopting the Regulation, the draft of which is annexed hereto;
- (ii) pending approval of the Protocol, take the necessary decisions in connection with the signing thereof.

(1) O.J. No L 381 of 31.12.1980, p. 1
(2) O.J. No L 365 of 27.12.1978, p. 1

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(Acts whose publication is obligatory)

RECOMMENDATION

COUNCIL REGULATION (EEC)

on the conclusion of the Additional Protocol to the Agreement between the European Economic Community and the Republic of Peru on trade in textile products consequent on the accession of the Hellenic Republic to the Community.

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 it is necessary to approve the Additional Protocol to the Agreement between the European Economic Community and the Republic of Peru

on trade in textile products to take account of the accession of the Hellenic Republic to the Community,

HAS ADOPTED THIS REGULATION:

Article 1

The Additional Protocol to the Agreement between the European Economic Community and the Republic of Peru

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

on trade in textile products consequent on the accession of the Hellenic Republic to the Community is hereby approved on behalf of the Community.

The text of the Protocol is annexed to this Regulation.

Article 2

The President of the Council shall give the notification provided for in Article 4 of the Additional Protocol (1).

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

For the Council

(1) The date of entry into force of the Protocol will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

Additional Protocol to the Agreement between
the European Economic Community and the Republic
of Peru on trade in textile products consequent
on the accession of the Hellenic Republic to the
Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF PERU

of the other part,

CONSIDERING the accession of the Hellenic Republic to
the European Communities on 1 January 1981

HAVING REGARD to the Agreement between the European Economic Community
and the Republic of Peru signed on 22 November 1979 and hereafter called
the "Agreement",

HAVE DECIDED to determine by common accord the adjustments and
transitional measures to the Agreement consequent on the accession
of the Hellenic Republic to the European Economic Community

and TO CONCLUDE THIS PROTOCOL :

Article 1

The text of the Agreement as hereby amended, including its annexes, protocols and exchanges of letters forming an integral part thereof, shall be drawn up in Greek and that text shall be authentic in the same way as the original texts.

Article 2

The Agreement shall be amended as follows :

1. The limits set out in Annex II shall be increased to the quantities set out in the Annex hereto, and
2. Article 6 paragraph 2 shall be replaced by the following :

Where the Community finds, under the system of administrative control set up, that the level of imports of products in a given category not listed in Annex II originating in Peru exceeds, in relation to 102% of the preceding year's total imports into the territories within which the Treaty establishing the European Economic Community applied at 31 December 1980 of products in that category, the following rates :

- | | | |
|---|--|------|
| - | for categories of products in Group I | 0.2% |
| - | for categories of products in Group II | 1.2% |
| - | for categories of products in Group III, IV or V | 4% |

it may request the opening of consultations in accordance with the procedure described in Article 14 of this Agreement, with a view to reaching agreement on an appropriate restraint level for the products in such category.

3. Protocol C to the Agreement shall be replaced by the following :

In accordance with the provisions of paragraphs 2 and 4 of Article 6 of the Agreement, a quantitative limit may be fixed on a regional basis where imports of a given product into any region of the Community exceed, in relation to the amounts calculated by the fraction 100/102 (one hundred divided by one hundred and two) of the amounts determined in accordance with paragraph 2 of the said Article 6, the following regional percentages :-

Germany	28.5%
Benelux	10.5%
France	18.5%
Italy	15%
Denmark	3%
Ireland	1%
U.K.	23.5%
Greece	2%

4. For the purpose of calculating 'the preceding year's total imports' referred to in 2. above both of 1980 and 1981, imports from the Hellenic Republic shall be those recorded in 1980.

Article 3

The Annex to this Protocol forms an integral part thereof.
This Protocol forms an integral part of the Agreement.

Article 4

This Protocol shall be approved by the contracting Parties in accordance with their own procedures. It shall enter into force on 1st January 1981, provided that the contracting Parties have notified each other before that date that the procedures necessary to this end have been completed. After this date the Protocol shall enter into force on the first day of the second month following such notification.

Article 5

This Protocol is drawn up in duplicate, in the Danish, Dutch, English, French, German, Greek, Italian and Spanish languages, each of those texts being equally authentic.

/ EXCHANGE OF LETTERS DE FACTO APPLICATION /

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ANNEX

Category	Description of products	Units	Year	Quantitative limits EEC
1	Cotton yarns, not for retail sale	Tonnes	1981	540
			1982	544
2	Cotton fabrics	Tonnes	1981	290
			1982	293
5	Jerseys, pull-overs	1,000 pieces	1981	614
			1982	640

EXCHANGE OF NOTES

The Mission of the Republic of Peru to the European Communities presents its compliments to the Directorate-General for External Relations of the Commission of the European Communities and has the honour to refer to the Agreement in textile products negotiated between Peru and the Community, signed on 22 November 1979, and to the Additional Protocol to the Agreement consequent on the accession of the Hellenic Republic to the Community initialled on 17 December 1980.

The Mission of the Republic of Peru wishes to inform the Directorate-General that whilst awaiting the completion of the necessary procedures for the conclusion and the coming into force of the Additional Protocol, the Peruvian Government is prepared to allow the provisions of the Additional Protocol to apply de facto from 1st January 1981 if the Community is disposed to do likewise.

The Mission of the Republic of Peru would like also to propose that the present note and the Community's note in reply shall constitute an Agreement between the Peruvian Government and the Community.

The Mission of the Republic of Peru avails itself of this opportunity to renew to the Directorate-General for External Relations the assurance of its highest consideration.

The Directorate-General for External Relations of the Commission presents its compliments to the Mission of the Republic of Peru to the European Communities and has the honour to refer to the Mission's note of today reading as follows :

"The Mission of the Republic of Peru to the European Communities presents its compliments to the Directorate-General for External Relations of the Commission of the European Communities and has the honour to refer to the Agreement in textile products negotiated between Peru and the Community, signed on 22 November 1979, and to the Additional Protocol to the Agreement consequent on the accession of the Hellenic Republic to the Community initialled on 17 December 1980

The Mission of the Republic of Peru wishes to inform the Directorate-General that whilst awaiting the completion of the necessary procedures for the conclusion and the coming into force of the Additional Protocol, the Peruvian Government is prepared to allow the provisions of the Additional Protocol to apply de facto from 1st January 1981 if the Community is disposed to do likewise.

The Mission of the Republic of Peru would like also to propose that the present note and the Community's note in reply shall constitute an Agreement between the Peruvian Government and the Community.

The Mission of the Republic of Peru avails itself of this opportunity to renew to the Directorate-General for External Relations the assurance of its highest consideration."

The Directorate of External Relations has the honour to confirm to the Mission of the Republic of Peru that it is agreed on the content of the foregoing note and considers therefore that the exchange of notes constitutes an agreement between the Peruvian Government and the Community.

The Directorate-General for External Relations avails itself of this opportunity to renew to the Mission of the Republic of Peru to the European Communities the assurance of its highest consideration.

COMMISSION
OF THE
EUROPEAN COMMUNITIES

Brussels, 17 December 1980.

Directorate-General for
External Relations

Negotiation and management of
textile agreements, and commercial
questions in respect of industry
and energy

Mr. M. YRIGOYEN
Chargé d'Affaires,
Embassy of the Republic of Peru
to the European Communities,
Avenue de Tervueren, 179
1040 BRUSSELS.

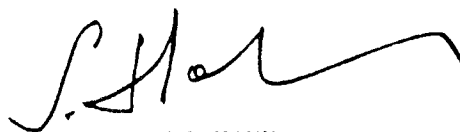
Your Excellency,

I have the honour to refer to the Additional Protocol to the Agreement between the European Economic Community and the Republic of Peru concerning trade in textile products consequent on the accession of the Hellenic Republic to the Community which was initialled today, and to the letter exchanged on 30 November 1977 concerning trade in products manufactured from Peruvian Tanguis and Pima cotton.

I confirm that the Community quotas for the years 1981 and 1982 of these products shall be increased to the following tonnages :

	<u>1981</u>	<u>1982</u>
Category One (Cotton yarn)	3,561	3,580
Category Two (Cotton fabrics)	2,192	2,204

Please accept, Your Excellency, the assurance of my highest consideration.



G. HOFMANN