

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 206 final

Brussels, 15 April 1982

Proposal for a

COUNCIL REGULATION (EEC)

on the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, and the Republic of Uganda on the accession of the Republic of Zimbabwe to Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention of Lomé

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(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

1. The agreement embodying the adhesion of the Republic of Zimbabwe to the second ACP-EEC Convention signed at Lomé on 31 October 1979 entered into force on 1st March 1982.

The adhesion agreement lays down in its annex 3 that :

- Zimbabwe should benefit from the granting of a quantity of 25 000 tonnes (white equivalent) of sugar per year ;
- this country should become a member of the ACP Sugar Protocol ;
- immediately after Zimbabwe's adhesion to the second ACP-EEC Convention, and at the latest six months thereafter, Zimbabwe and the Commission shall meet with a view to determining by common agreement the timetable of the quantities to be delivered in order to reach the quantity of 25 000 tonnes ;
- the government of Zimbabwe, in accepting the text of paragraph 1, expects the first supplies of 25 000 tonnes of sugar per year will take place during the delivery period 1982/1983.
- for its part, the Community confirms that it will take the necessary steps to ensure that the objective of the 25 000 tonnes will be reached as soon as possible and guarantees that, starting from the delivery period 1982/1983, the price conditions provided for in the ACP Sugar Protocol will be applied to an annual quantity of 25 000 tonnes of sugar originating in Zimbabwe.

In applying the above-mentioned agreement, the Community should now conclude an agreement with those ACP States who have contracted rights and obligations within the framework of Protocol 7 annexed to the second Lomé Convention, via an exchange of letters with a view to including Zimbabwe in the list of countries listed in Article 3 (1) with an agreed quantity of 25 000 tonnes as from 1st July 1982 and in respect of the period up to 30 June 1982, with an agreed quantity of 6 000 tonnes.

In a letter of 15 March 1982, the ACP states concerned signified their agreement to the adhesion of Zimbabwe to the said Protocol.

(1) OJ No. L 24, 30.1.82, p. 15.

2. Under Article 2 of Annex IV of the Council Decision of 16 December 1980 associating the overseas countries and territories with the European Economic Community (1), Belize benefits from a regime similar to that of the ACP Sugar Protocol.

This country gained independence on 21.9.1981 and asked for adhesion to the Second Lomé Convention in accordance with article 185 thereof.

The Annex to Protocol 7 of the ACP-CEE Lomé Convention records the undertaking contained in the above mentioned Council decision for a quantity of 39 400 tonnes (white value) of sugar per year for Belize.

Accordingly, the Community should now also conclude an agreement with the ACP States mentioned under 1 via an exchange of letters with a view to transferring Belize from the overseas countries and territories regime to the Protocol regime and thereby to include Belize in the countries listed in Article 3 (1) with an agreed quantity of 39 400 tonnes with effect from 1st July 1982.

For the delivery period 1981/82 the provisions of the above-mentioned Council Decision will remain applicable to Belize.

3. In the light of the above-mentioned provisions, no negotiations are required in order to affect the relevant modifications to the text of the Sugar Protocol. The Commission therefore proposes that the Council should conclude with the ACP states referred to in Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention of Lomé, the agreements in question via an exchange of the letters attached hereto.

4. Annexes :

- I. Proposal for a Council Regulation concerning the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, and the Republic of Uganda on the accession of the Republic of Zimbabwe to Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention of Lomé.

(1) OJ No. L 361, 31.12.1980, p. 104.

4. Annexes: cont.

II. Proposal for a Council Regulation concerning the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, and the Republic of Uganda on the accession of Belize to Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention of Lomé.

III. Draft letters.

5. Financial implications

The above proposals would be implemented within the framework of the management of the common organization of the market in the sugar sector and would not, therefore, give rise to additional expenditure.

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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 proposal from the Commission,

Whereas the Agreement on the accession of the Republic of Zimbabwe to the second ACP-EEC Convention (1) signed at Lomé on 31 October 1979 entered into force on 1 March 1982 (2) ;

Whereas that Agreement, in its Annex 3, provided in particular that Zimbabwe should become a member of Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention of Lomé and that it should enjoy the award of a quantity of sugar of 25 000 tonnes of white equivalent per annum ;

Whereas the ACP states concerned, in a letter of 15 March 1982, have signified their agreement to the accession of Zimbabwe to the said Protocol;

Whereas the implementation of the aforesaid Protocol is carried out within the framework of the common organization of the market in the sugar sector ;

Whereas it is appropriate to approve an Agreement in the form of an exchange of letters between the European Economic Community and the states referred to in the aforesaid Protocol on the accession of the Republic of Zimbabwe thereto,

HAS ADOPTED THIS REGULATION :

Article 1

An Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the accession of the Republic of Zimbabwe to Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention of Lomé is hereby approved on behalf of the Community.

The text of this Agreement is annexed to this Regulation.

(1) OJ No. L 347, 22.12.1980, p. 1

(2) OJ No. L 24, 30.1.1982, p. 1

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement referred to in Article 1 in order to bind the Community.

Article 3

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

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

Done at Brussels,

For the Council

The President

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the accession of the Republic of Zimbabwe to the Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention of Lomé.

Letter No. 1

Brussels,

Sir,

The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention of Lomé, and of the Commission, on behalf of the European Economic Community, have agreed on the following :

- The Republic of Zimbabwe is hereby included in Article 3 (1) of the said Protocol with an agreed quantity of 25 000 tonnes with effect from 1st July 1982, and in respect of the period up to 30 June 1982 with an agreed quantity of 6 000 tonnes.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the above-mentioned ACP states and the Community.

Please accept, Sir, the assurance of my highest consideration.

For the Council
of the European Communities

Letter No 2

Brussels

Sir,

I have the honour to acknowledge receipt of your letter of today which reads as follows :

The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention of Lomé, and of the Commission, on behalf of the European Economic Community, have agreed on the following :

- The Republic of Zimbabwe is hereby included in article 3 (1) of the said Protocol with an agreed quantity of 25 000 tonnes with effect from 1st July 1982, and in respect of the period up to 30 June 1982 with an agreed quantity of 6 000 tonnes.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the above-mentioned ACP states and the Community.

I have the honour to confirm the agreement of the Governments of the ACP states referred to in this letter with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

For the Governments

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on the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, and the Republic of Uganda on the accession of Belize to Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention of Lomé.

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 proposal from the Commission,

Whereas Declaration 2 in the Annex to Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention of Lomé (1) provides that Belize shall benefit from a treatment identical to that provided for in the said Protocol for a quantity of 39 400 tonnes ;

Whereas the implementation of the aforesaid Protocol is carried out within the framework of the common organization of the market in the sugar sector ;

Whereas it is appropriate to approve an Agreement in the form of an exchange of letters between the European Economic Community and the states referred to in the aforesaid Protocol on the accession of Belize thereto,

HAS ADOPTED THIS REGULATION :

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the accession of Belize to Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention of Lomé is hereby approved on behalf of the Community.

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The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention of Lomé, and of the Commission, on behalf of the European Economic Community have agreed on the following :

- Belize is hereby included in article 3 (1) of the said Protocol with an agreed quantity of 39 400 tonnes with effect from 1st July 1982.

For the delivery period 1981/82 the provisions of Annex IV to the Council Decision of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community shall remain applicable.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the above-mentioned ACP states and the Community.

Please accept, Sir, the assurance of my highest consideration.

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I have the honour to acknowledge receipt of your letter of today which reads as follows :

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- Belize is hereby included in article 3 (1) of the said Protocol agreed quantity of 39 400 tonnes with effect from 1st July 1982.

For the delivery period 1981/82 the provisions of Annex IV to the Council Decision of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community shall remain applicable.

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For the Governments

