

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 728 final

Brussels, 5 December 1983

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, Belize, 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, the Republic of Uganda and the Republic of Zimbabwe and Saint Christopher and Nevis on the accession of the latter country to Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention

(submitted to the Council by the Commission)

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Explanatory Memorandum

1. 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), Saint Christopher^{and Nevis} benefits from a regime similar to that of Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention .

This country gained independence on 19.9.1983 and asked for adhesion to the Second Lomé Convention in accordance with article 185 thereof.

The Annex to Protocol 7 of the ACP-EEC Lomé Convention records the undertaking contained in the above mentioned Council decision for a ^{and Nevis} quantity of 14.800 tonnes (white value) of sugar per year for Saint Christopher (originally St. Kitts-Nevis - Anguilla).

The Community should now conclude an agreement with those ACP States who have contracted rights and obligations within the framework of the ACP Sugar^{and Nevis} Protocol via an exchange of letters with a view to transferring Saint Christopher from the overseas countries and territories regime to the Protocol regime^{and Nevis} and thereby to include Saint Christopher in the countries listed in Article 3(1) with an agreed quantity of 14.800 tonnes with effect from the date on which it accedes to the second Lomé Convention.

Up to this date, the provisions of the above-mentioned Council Decision will remain applicable to Saint Christopher^{and Nevis} which will be confirmed in the attached exchange of letters.

2. 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 , the agreements in question via an exchange of the letters attached hereto.

3. 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, Belize, 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,

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

3. cont.

the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, the Republic of Zimbabwe and Saint Christopher and Nevis on the accession of the latter country to Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention.

II. Draft letters.

4. 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.

COUNCIL REGULATION (EEC) No /83

of

on the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and Barbados, Belize, 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, the Republic of Uganda and the Republic of Zimbabwe and Saint Christopher and Nevis on the accession of the latter country to Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention.

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 Saint Christopher and Nevis shall benefit from a treatment identical to that provided for in the said Protocol for a quantity of 14.800 tonnes ;

and Nevis
Whereas Saint Christopher gained independence on 21.9.1983 and asked to accede to the Second ACP-EEC Convention as well as to Protocol 7 on the ACP sugar;

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 Saint Christopher and Nevis on the accession of the latter country to the said Protocol.

HAS ADOPTED THIS REGULATION :

Article 1

An Agreement in the form of an exchange of letters between the European Economic Community and Barbados, Belize, 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, the Republic of Uganda and the Republic of Zimbabwe and Saint Christopher and Nevis on the accession of the latter country to Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention 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

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, Belize, 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, the Republic of Uganda, the Republic of Zimbabwe, and Saint Christopher and Nevis on the accession of the latter country to Protocol 7 on ACP sugar annexed to the second ACP-EEC Convention.

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, Saint Christopher and Nevis and of the Commission, on behalf of the European Economic Community have agreed on the following :

- Saint Christopher ^{and Nevis} is hereby included in article 3 (1) of the said Protocol with an agreed quantity of 14.800 tonnes with effect from the day on which it accedes to the second ACP-EEC Convention

Up to this date 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.

For the Council
of the European Communities

Brussels

Sir,

I have the honour to acknowledge receipt of your letter of today's date 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 Saint Christopher and Nevis and of the Commission, on behalf of the European Economic Community, have agreed on the following :

- Saint Christopher ^{and Nevis} is hereby included in article 3 (1) of the said Protocol with an agreed quantity of 14.800 tonnes with effect from the day on which it accedes to the second ACP-EEC Convention of Lomé.

Up to this date, 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.

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

