

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 602 final

Brussels, 23 October 1981

Recommendation for a
COUNCIL REGULATION (EEC)

on the conclusion of the Additional Protocol to the Agreement
between the European Economic Community and Haiti 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) 602 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 Haiti 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 Haiti from 22 September to 16 December 1980.

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

- 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 16 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 Haiti 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 Haiti

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 Haiti on trade in textile products

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

Done at Brussels,

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.

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

(initialled on 16 December 1980)

THE COUNCIL OF THE EUROPEAN COMMUNITIES

of the one part, and

THE GOVERNMENT OF HAITI

of the other part,

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

HAVING REGARD TO the Agreement concluded between the European Economic
Community and **Haiti** on 15 January 1980, hereinafter referred to as the
"Agreement",

HAVE DECIDED to determine by common accord the adjustments and the
transitional measures to be incorporated in the said Agreement consequent on
the accession of the Hellenic Republic to the European Communities.

and TO CONCLUDE THIS PROTOCOL :

Article I

The text of the Agreement amended as follows and those of the annexe and protocols forming an integral part thereof, shall be drawn up in Greek and be authentic as are the original texts.

Article 2

The Agreement is hereby amended as follows :

- I. Paragraph 2 of Protocol C to the Agreement 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 any category listed in the Annexe originating in Haiti exceeds, in relation to I02% of the preceding year's total imports of products in that category into the territories within which the Treaty establishing the European Economic Community was applied on 31 December 1980, the following rates:

- for categories of products in Group I : 0.2%
- for categories of products in Group II : 1.5%
- for categories of products in Group III, IV or V : 4.0%

it may request the opening of consultations in accordance with the procedure described in Article 5 of the Agreement, with a view to reaching agreement on an appropriate restraint level for the products in such a category.

2. Paragraph 6 of Protocol C to the Agreement shall be replaced by the following :

"Quantitative limits on a regional basis may be introduced only where imports of a given product into any region of the Community exceed the following regional percentages of I00/I02 (I00 divided by I02) of the amounts determined in accordance with paragraph 2 :

Germany	28.5%
Benelux	10.5%
France	18.5%
Italy	15 %
Denmark	3 %
Ireland	1 %
UK	23.5%
Greece	2 % "

3. For the purpose of working out the "preceding year's total imports", as referred to in paragraph I, the figure for imports from Greece to be used in the calculations for both 1980 and 1981 shall be the volume of imports recorded in 1980.

Article 3

This Protocol shall form an integral part of the Agreement.

Article 4

This Protocol shall be adopted in accordance with the procedures laid down by the Contracting Parties. It shall enter into force on 1 January 1981, providing the Contracting Parties have notified each other before that date that the necessary procedures 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, German, Greek, English, French, Italian and Dutch languages, each text being equally authentic.

NOTE VERBALE

The Mission of the Republic of Haiti 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 Additional Protocol to the Agreement on trade in textile products consequent on the accession of the Hellenic Republic to the European Communities initialled today by the Republic of Haiti and the European Economic Community.

The Mission of the Republic of Haiti wishes to inform the Directorate-General for External Relations that, pending completion of the procedures necessary for the conclusion and entry into force of the Protocol the Government of the Republic of Haiti is prepared to agree that the provisions of the Agreement be applied de facto from 1 January 1981 if the Community is prepared to do likewise.

The Mission of the Republic of Haiti considers that this Note, together with the Community's Note of acknowledgement, constitutes an Agreement between the Government of the Republic of Haiti and the Community.

The Mission of the Republic of Haiti takes this opportunity of renewing to the Directorate-General for External Relations the assurance of its highest consideration.

NOTE VERBALE

The Directorate-General for External Relations of the Commission of the European Communities presents its compliments to the Mission of the Republic of Haiti and has the honour to acknowledge receipt of its Note Verbale of today's date which reads as follows :

"The Mission of the Republic of Haiti 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 Additional Protocol to the Agreement on trade in textile products consequent on the accession of the Hellenic Republic to the European Communities initialled today by the Republic of Haiti and the European Economic Community.

The Mission of the Republic of Haiti wishes to inform the Directorate-General for External Relations that, pending completion of the procedures necessary for the conclusion and entry into force of the Protocol, the Government of the Republic of Haiti is prepared to agree that the provisions of the Agreement be applied de facto from 1 January 1981 if the Community is prepared to do likewise.

The Mission of the Republic of Haiti considers that this Note, together with the Community's Note of acknowledgement, constitutes an Agreement between the Government of the Republic of Haiti and the Community.

The Mission of the Republic of Haiti takes this opportunity of renewing to the Directorate-General for External Relations the assurance of its highest consideration."