

COM 1495
HILLMAN

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(74) 1479 final

Brussels, 19 September 1974

Recommendation
for a
Council Decision

UNIVERSITY OF
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on the conclusion of an agreement between the European Economic Community
and the United Nations Relief and Works Agency
for Palestine Refugees on the supply of cereals as food aid

(submitted to the Council by the Commission)

COM(74) 1479 final

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, in particular Articles 113, 114 and 228 thereof;

Having regard to the Recommendation of the Commission;

Whereas the European Economic Community has concluded the second Convention relating to food aid⁽¹⁾

Whereas the United Nations Relief and Works Agency for Palestine Refugees in the Near East has made known its requirements in cereal products for the refugees and whereas that Agency should accordingly be supplied with a quantity of food equivalent to 16 254 tonnes of cereals in the form of 10 764 tonnes of flour of soft wheat.

HAS DECIDED :

Article 1

On behalf of the European Economic Community, an agreement, the text of which is annexed to this decision, shall be concluded between the European Economic Community and the United Nations Relief and Works Agency for Palestine refugees on the supply of cereals as food aid.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the agreement and to confer on them the powers required in order to bind the Community.

Done at Brussels,

For the Council

The President

⁽¹⁾ O.J. L 219 of 9.8.1974, p.19

AGREEMENT

BETWEEN THE EUROPEAN ECONOMIC COMMUNITY

AND THE

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES

ON THE SUPPLY OF CEREALS AS FOOD AID

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

on the one hand,

THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES,
HEREINAFTER CALLED UNRWA,

on the other hand,

HAVE DECIDED to conclude this Agreement and to this end have designated
as their plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE GOVERNMENT OF THE

WHO HAVE AGREED AS FOLLOWS:

ARTICLE I

Under its cereal food aid programme for 1973/74, the European Economic Community shall supply a consignment of 16.254 metric tons of cereals in the form of 10.764 tonnes of flour of soft wheat as a gift to UNRWA hereinafter called "The recipient".

ARTICLE II

Deliveries shall be made cif to Lebanese ports of unloading or cif to Israeli ports of unloading in new jute sacks of a net capacity of 50 kilograms.

ARTICLE III

The obligations and responsibilities of the European Economic Community and of the recipient, in particular as regards delivery and acceptance, are defined in the Annex, which forms an integral part of this Agreement.

ARTICLE IV

The recipient undertakes to make all the necessary arrangements for the transport and insurance of the products supplied; from the ports of unloading to the places of destination.

ARTICLE V

The recipient undertakes to distribute free of charge the products received as aid to the Palestinian refugees for consumption.

ARTICLE VI

The recipient undertakes to inform the European Economic Community of the circumstances surrounding the implementation of this Agreement. For this purpose it shall communicate to the Commission of the European Communities the following information:

Every three months until the deliveries received have been exhausted, a report on their distribution showing the number of beneficiaries, the quantities distributed, the localities, rate and manner of distribution.

ARTICLE VII

At the request of either Party, the Contracting Parties shall consult each other on all matters relating to the application of this Agreement.

ARTICLE VIII

This Agreement is drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, these texts being equally authentic.

ANNEX REFERRED TO IN ARTICLE III OF THE AGREEMENT

Article 1

Delivery shall be completed and the risks shall pass from the European Economic Community to the recipient at the time when the goods are landed on the quay or, where applicable, when they are transferred to a floating grain silo, or to a barge, if this last method is employed.

The recipient shall bear all costs incurred after delivery, including the costs of taking delivery of the goods.

Any demurrage at the port of unloading for delays for which the recipient is responsible shall be met by it. The rates and methods of collection as defined in the contract between the Community's agent referred to in Article 5 and the transport agent must have been previously agreed upon between the Community's agent and the recipient's receiving agent referred to in Article 5.

Article 2

As soon as possible after the goods have been loaded on board, the European Economic Community shall notify the recipient of the name of the ship, the loading date, the quantity and quality of the goods as established at the time of loading, the port of unloading and the daily unloading rate in that port.

Article 3

The European Economic Community shall inform the recipient of the expected date of arrival of the ship at the port of unloading at least ten clear days before that date.

The European Economic Community shall procure the insertion in the charter party of a clause whereby the ship's master shall inform the recipient of the probable date of arrival at the port at least seventy two hours in advance.

Article 4

Upon delivery a margin of up to 5% below the quantity laid down in Article I of the Agreement shall be tolerated.

Article 5

The European Economic Community shall appoint an agent to implement the provisions of this Annex and shall in good time forward the latter's name and address to the recipient.

The recipient shall appoint a receiving agent in each port of unloading and shall forward the latter's name and address to the European Economic Community prior to the implementation of the Agreement.

Article 6

Upon delivery of the goods, the recipient country shall hand to the agent of the EEC a certificate of acceptance stating the port of shipment, date of acceptance, the nature and quantity of the goods accepted and including any comments on the quality of the goods and send a copy thereof to the Commission of the European Communities.