

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(85) 99 final

Brussels, 18 March 1985

Proposal for a
COUNCIL REGULATION (EEC)

on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of the Ivory Coast, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, St. Christopher and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, the Republic of Zimbabwe and also the Republic of India on the guaranteed prices for cane sugar for the delivery period 1985/86

(submitted to the Council by the Commission)

COM(85) 99 final

Commission Communication to the Council on the guaranteed prices applicable in the 1985/86 delivery period to cane sugar originating in the ACP States referred to in Protocol 7 annexed to the third ACP-EEC Convention and in India

1. Protocol 7 on ACP sugar annexed to the third ACP-EEC Convention and the Agreement between the European Economic Community and the Republic of India contain the Community's undertaking to purchase and import, at guaranteed prices, cane sugar which the exporting countries concerned cannot market commercially in the Community at prices equivalent to or higher than the guaranteed prices.
2. The present guaranteed prices (1984/85) apply until 30 June 1985. The Commission considers that the guaranteed prices for the delivery period 1985/86 should be negotiated in such a way that, with effect from 1 July 1985 at the earliest, the returns guaranteed to ACP States and India for their deliveries to the Community of raw cane sugar cif free out are comparable with the price guaranteed to Community producers of raw sugar.
3. The Commission therefore proposes that the Council should
 - (a) take note that the Commission will conduct negotiations with the countries concerned in accordance with the guidelines set out in Annex I;
 - (b) adopt, following approval of the conclusions reached during these negotiations, the proposal for a regulation on the conclusion of the agreements in the form of exchanges of letters, as set out in Annex II.
4. Financial implications:

There are no financial implications other than those already taken into account within the framework of the agricultural price proposals for 1985/86 (Doc. COM(85) 50 final - vol. II of 30 January 1985).

A N N E X I

GUIDELINES FOR NEGOTIATIONS

The Council of the European Communities hereby takes note of the following guidelines for negotiations:

"The Commission, pursuant to Articles 5(4) of Protocol 7 on ACP sugar annexed to the third ACP-EEC Convention of Lomé (1) and Article 5(4) of the Agreement between the European Economic Community and the Republic of India on cane sugar (2), shall initiate negotiations with the ACP States referred to in that Protocol and the Republic of India on the guaranteed prices provided for under that Protocol and under that Agreement that are to apply for the delivery period 1985/86. It shall conduct these negotiations in consultation with the Member States' representatives. The guaranteed prices, cif free out, shall be negotiated in such a way that the returns guaranteed to the ACP States and the Republic of India for their raw cane sugar deliveries to the Community are comparable with the price guaranteed to Community producers of raw sugar. This implies that the guaranteed price for that raw sugar should not exceed the Community's intervention price for raw sugar in 1985/86. The prices thus negotiated shall apply at the earliest to the start of the 1985/86 delivery period on 1 July 1985."

(1) OJ No L , P.
(2) OJ No L 190, 22. 7.1975, p. 35.

A N N E X I I

Proposal for
COUNCIL REGULATION (EEC) No /84
of

on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of the Ivory Coast, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, St. Christopher and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, the Republic of Zimbabwe and also the Republic of India on the guaranteed prices for cane sugar for the delivery period 1985/86

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Protocol 7 on ACP sugar annexed to the third ACP-EEC Convention of Lomé (1), hereinafter referred to as the "Protocol", and in particular Article 5(4) thereof,

Having regard to the Agreement between the European Economic Community and the Republic of India on cane sugar (2), hereinafter referred to as the "Agreement", and in particular Article 5(4) thereof,

Having regard to the proposal of the Commission,

Whereas the Protocol and the Agreement, in agreement with the Articles 1(2) thereof, are implemented within the framework of the management of the common organization of the sugar market;

Whereas it is appropriate to approve these Agreements in the form of exchanges of letters between the European Economic Community and the States referred to in the Protocol and also the Republic of India on the guaranteed prices for cane sugar for the 1985/86 delivery period

HAS ADOPTED THIS REGULATION :

(1) OJ No L , p.

(2) OJ No L 190, 22. 7.1975, p. 35.

Article 1

The 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, the Republic of the Ivory Coast, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, St. Christopher and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe and the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of India on the guaranteed prices for cane sugar for the delivery period 1985/86 are hereby approved by the Community.

The texts of these Agreements are annexed to this Regulation.

Article 2

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

Article 3

This Regulation shall enter into force on the day following 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

TEXT 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 the Ivory Coast, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, St. Christopher and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe on the guaranteed prices for cane sugar for the delivery period 1985/86.

Letter No 1

Sir,

The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the third ACP-EEC Convention of Lomé, and of the Commission, on behalf of the European Economic Community, have agreed within the framework of the negotiations provided for in Article 5(4) of the said Protocol, on the following:

For the delivery period 1 July 1985 to 30 June 1986, the guaranteed prices referred to in Article 5(4) of the Protocol shall, for the purpose of intervention within the terms of Article 6 of the Protocol, be:

- (a) for raw sugar, * ECU per 100 kilogrammes;
- (b) for white sugar, * ECU per 100 kilogrammes.

These prices shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out European ports of the Community.

Although retroactivity is not provided for in respect of the 1985/86 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4(3) of the above-mentioned Protocol.

* The amounts indicated will take account of the outcome of the negotiations with the ACP States.

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

Sir,

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

"....."

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

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of India on the guaranteed prices for cane sugar for 1985/86

Letter No 1

Brussels,

Sir,

1. The Representatives of India and of the Commission, on behalf of the European Economic Community, have agreed within the framework of the negotiations provided for in Article 5(4) of the Agreement between the European Economic Community and the Republic of India on cane sugar, on the following:

- for the period 1 July 1985 to 30 June 1986 the guaranteed prices referred to in Article 5(4) of the Agreement shall, for the purpose of intervention within the terms of Article 6 of the Agreement, be:

- (a) for raw sugar, * ECU per 100 kilograms,
- (b) for white sugar, * ECU per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out of European ports of the Community.

2. Although retroactivity is not provided for in respect of the 1985/86 prices, it is agreed that this year's decision does not prejudice the position of India in relation to retroactivity in any future negotiation in accordance with Article 4(3) of the Agreement.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between your Government and the Community.

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

For the Government of the
Republic of India

* These amounts indicated will take account of the outcome of the negotiations with India

Letter No 2

Brussels,

Sir,

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

"....."

I have the honour to confirm the agreement of my Government with the foregoing.

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

For the Government of the
Republic of India