

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 145 final

Brussels, 26 March 1982

Recommendation for a

COUNCIL REGULATION (EEC)

on the conclusion of an Agreement in the form of exchange of letters between the European Economic Community and Barbados, the Peoples 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 guaranteed prices for cane sugar for 1981/82

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Recommendation for a

COUNCIL REGULATION (EEC)

fixing the guaranteed prices applicable for cane sugar originating in the overseas countries and territories for 1981/82

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COM(82) 145 final



## EXPLANATORY MEMORANDUM

1. (a) By Decision of the Council, the Commission was authorized to enter into negotiations on the guaranteed prices for cane sugar for 1981/82 with the States referred to in Article 3 of the Protocol on ACP sugar annexed to the ACP-EEC Convention of Lomé and with the Republic of Suriname. The results of those negotiations have to be approved by the relevant authorities of the Community and the countries referred to above. The Commission recommends to the Council that the results be embodied in <sup>an</sup> agreement in the form of exchange of letters between the Community on the one hand and each of the ACP States concerned on the other according to the annexed drafts.

(b) According to the Declaration 2 annexed to Protocol 7 of the second ACP-EEC Convention of Lomé, the Community undertook to ensure for sugar originating in certain overseas countries and territories (OCT) the same treatment as provided for in the Protocol on ACP sugar. The Commission recommends that the Council fix for sugar originating in the countries specified by the said Declaration the same guaranteed prices for 1981/82 as those agreed with the ACP States.

2. ANNEXES: I. Recommendation for a Council Regulation concerning the conclusion of an Agreement in the form of exchanges of letters on the guaranteed prices for cane sugar for 1981/82 between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda.

II. Draft exchange of letters.

III. Recommendation for a Council Regulation fixing the guaranteed prices applicable for cane sugar originating in the overseas countries and territories (OCT) for 1981/82.

### 3. Financial implications

The financial implications have been taken into account in the framework of the financial implications of the agricultural prices for 1981/82 and of the budget for 1982.

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on the conclusion of an Agreement in the form of 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 guaranteed prices for cane sugar for 1981/82

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 Protocol 7 on ACP sugar annexed to the  
Second ACP-EEC Convention of Lomé<sup>(1)</sup>, is implemented in the context of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreement in the form of exchange of letters between the European Economic Community and the States referred to in Protocol 7 on ACP sugar and the Republic of Surinam on the guaranteed prices for cane sugar for 1981/82,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Agreement in the form of exchange of letters between the European Economic Community and

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

Done at Brussels,

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 Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1981/82, is hereby approved on behalf of the Community.

The text of this Agreement are annexed to this Regulation.

*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*.

*For the Council*

*The President*

<sup>(1)</sup> OJ No L 347, 22.12.1980, p.1

**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 guaranteed prices for cane sugar for 1981/82

*Letter No 1*

Brussels,

Sir,

1. The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention of Lomé, of the Republic of Surinam 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 period 1 July 1981 to 30 June 1982 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, 38,9% ECU per 100 kilograms ;
- (b) for white sugar, 48,16% ECU per 100 kilograms.

preceding year These prices, which represent an increase of 8,5% and 8,3% respectively over those of the shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out European ports of the Community.

2. Although retroactivity is not provided for in respect of the 1981/82 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 Protocol 7 annexed to the Second ACP-EEC Convention of Lomé.

3. It was agreed that discussions would continue between the parties on matters arising out of the concern of the ACP States over the burden of freight charges.

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 abovementioned 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:

1. The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention of Lomé, of the Republic of Suriname 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 period 1 July 1981 to 30 June 1982 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, 38,9% ECU per 100 kilograms;
- (b) for white sugar, 48,16% ECU per 100 kilograms.

preceding year

These prices, which represent an increase of 8,5% and 8,3% respectively over those of the preceding year shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out European ports of the Community.

2. Although retroactivity is not provided for in respect of the 1981/82 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 Protocol 7 annexed to the Second ACP-EEC Convention of Lomé.

3. It was agreed that discussions would continue between the parties on matters arising out of the concern of the ACP States over the burden of freight charges.

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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.

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 Governments

Recommendation for a COUNCIL REGULATION (EEC)

fixing the guaranteed prices applicable for cane sugar originating  
in the overseas countries and territories for 1981/82

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and  
in particular Article 136 thereof,

Having regard to the recommendation from the Commission,

Whereas, in accordance with Declaration 2 annexed to Protocol 7 to the  
Second ACP-EEC Convention of Lomé (1), the Community guarantees, for cane sugar  
originating in the overseas countries and territories mentioned in the said Annex,  
the same treatment as provided for in Protocol 7 on ACP sugar annexed to the  
said Convention;

Whereas Council Decision 80/1186/EEC of 16 December 1980 on the association  
of the overseas countries and territories with the European Economic Community (2),  
embodies the application of this principle; whereas in accordance with Article 4 (4)  
of Annex IV to that Decision the guaranteed prices are fixed annually;

Whereas the guaranteed prices valid for 1981/82 for cane sugar originating in  
the ACP States have been fixed by <sup>an</sup> Agreement in the form of exchange of letters  
with the relevant ACP States; whereas it is now necessary for the Council to  
fix the same guaranteed prices for cane sugar originating in the overseas coun-  
tries and territories concerned,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 July 1981 to 30 June 1982, the guaranteed prices referred to  
in Article 4 (4) of Annex IV to Decision 80/1186/EEC are hereby fixed as follows:

- (a) for raw sugar, 38,94 ECU per 100 kilograms;
- (b) for white sugar, 48,16 ECU per 100 kilograms.

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

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

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

Article 2

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

It shall apply with effect from 1 July 1981.

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

Done at Brussels,

For the Council

The President