

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 266 final

Brussels, 11 May 1982

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 on the guaranteed prices for cane sugar for the delivery period 1982/83

Draft

COUNCIL REGULATION (EEC)

fixing the guaranteed prices applicable for cane sugar originating in the overseas countries and territories (OCT) for the 1982/83 delivery period

(submitted to the Council by the Commission)

COM(82) 266 final

Commission Communication to the Council on the guaranteed prices applicable for the 1982/83 delivery period to cane sugar originating in the ACP States referred to in Protocol 7 annexed to the Second ACP-EEC Convention of Lomé and in the overseas countries and territories (OCT) referred to in Council Decision 80/1186/EEC

1. Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention of Lomé contains the Community's undertaking to purchase and import, at guaranteed prices, cane sugar which the exporting countries concerned cannot market in the Community at prices equivalent to or higher than the guaranteed prices.
2. In Declaration 2 annexed to that Protocol, the Community undertook to ensure the same treatment for sugar originating in certain overseas countries and territories (OCT) as that provided for in the Protocol on ACP sugar.
3. The present guaranteed prices (1981/82) apply until 30 June 1982. The Commission considers that the guaranteed prices for the delivery period 1982/83 should be negotiated quickly so that the returns guaranteed to ACP States for their deliveries to the Community of raw cane sugar cif free out is comparable with the price guaranteed to Community producers of raw sugar, with effect from 1 July 1982 at the earliest.

The Commission therefore proposes that the Council should

- 1) give its agreement to the directive contained in Annex I for negotiations with the countries concerned;
- 2) adopt, following approval of the conclusions reached during these negotiations, the proposal for a regulation on the conclusion of an agreement in the form of an exchange of letters, as set out in Annexes II and III;
- 3) adopt, pursuant to 2, the proposal set out in Annex IV for a regulation fixing the guaranteed prices applicable for the 1982/83 delivery period to cane sugar originating in the OCT referred to in Council Decision 80/1186/EEC.

A N N E X E S

- I. Proposal for a directive for negotiations with the ACP States referred to in Protocol 7 annexed to the Second ACP-EEC Convention of Lomé on the guaranteed prices applicable to cane sugar during the delivery period 1982/83.

- II. Proposal for a Council regulation 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 on the guaranteed prices for cane sugar for the delivery period 1982/83.

- III. Proposal for 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 on the guaranteed prices for cane sugar for the delivery period 1982/83.

- IV. Proposal for a Council regulation fixing the guaranteed prices applicable for the delivery period 1982/83 to cane sugar originating in the overseas countries and territories (OCT).

A N N E X I

Proposal for a
NEGOTIATING BRIEF

The Council of the European Communities hereby approves the following negotiating brief:

"The Commission, pursuant to Article 5(4) of Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention of Lomé (1), shall initiate negotiations with the ACP States referred to in that Protocol on the guaranteed prices provided for under that Protocol that are to apply for the delivery period 1982/83. 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 for their raw cane sugar deliveries to the Community are comparable with the price guaranteed to Community producers of raw sugar. The prices thus negotiated shall apply at the earliest to the start of the 1982/83 delivery period on 1 July 1982."

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

A N N E X I I

Proposal for
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
on the guaranteed prices for cane sugar for the delivery period
1982/83

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 Second ACP-EEC Convention of Lomé (1), hereinafter referred to as "the Protocol", and in particular Article 5(4) thereof,

Having regard to the proposal from the Commission,

Whereas the Protocol, in accordance with Article 1(2) thereof, is implemented within the framework of the management of the common organization of the sugar market;

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 Protocol, on the guaranteed prices for cane sugar for the 1982/83 delivery period,

HAS ADOPTED THIS REGULATION :

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

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, 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.

The text of the said Agreement is 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.

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

Done at Brussels,

For the Council

A N N E X I I

Proposal for 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 on the guaranteed prices for cane sugar for the delivery period 1982/83.

Letter No 1

Sir,

The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Second 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 1982 to 30 June 1983 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 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 European ports of the Community.

Although retroactivity is not provided for in respect of the 1982/83 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

A N N E X I V

Draft

COUNCIL REGULATION (EEC)

fixing the guaranteed prices applicable for cane sugar originating
in the overseas countries and territories (OCT) for the 1982/83
delivery period

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 draft Regulation submitted by the Commission,

Whereas, in accordance with Declaration 2 contained in the Annex to
Protocol 7 on ACP sugar annexed 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 the said Protocol;

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 the 1982/83 delivery period for
cane sugar originating in the ACP States have been fixed by an Agreement
in the form of ^{an} exchange of letters with the relevant ACP States; whereas
it is now necessary for the same guaranteed prices to be fixed for cane
sugar originating in the overseas countries and territories concerned,

HAS ADOPTED THIS REGULATION :

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

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

Article 1

For the delivery period from 1 July 1982 to 30 June 1983, the guaranteed prices referred to in Article 4(4) of Annex IV to Decision 80/1186/EEC shall be as follows:

- (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 European ports of the Community.

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 1982.

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

Done at Brussels,

For the Council

* The amounts will be fixed in the light of the outcome of negotiations with the ACP States.

Financial implications

There are no financial implications other than those already taken into account within the framework of the agricultural price proposals for 1982/83 (doc. COM (82) 10 final - vol.II of 1 February 1982).