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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

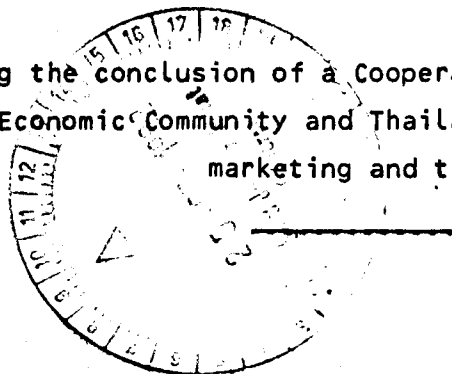
COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 275 final

Brussels, 24 May 1982

Recommendation for a
COUNCIL DECISION

concerning the conclusion of a Cooperation Agreement between the
European Economic Community and Thailand on manioc production,
marketing and trade



(submitted to the Council by the Commission)

COM(82) 275 final

EXPLANATORY MEMORANDUM

1. On December 16 1980 the Council adopted a decision authorizing the Commission to enter into negotiations for the conclusion of a cooperation agreement on manioc production, marketing and trade between the European Economic Community and Thailand on the basis of the draft agreement drawn up on November 5 1980 by the Minister of Commerce of the Kingdom of Thailand and by Mr. Gundelach, Vice-President of the Commission.
2. Negotiations took place in accordance with that decision and on the 23 April 1982, a draft agreement was initialled by the heads of delegation.

The basic provisions of the draft agreement which was drawn up following the negotiations are as follows:

- a) It covers the period running from the 1 January 1982 up to 31 December 1986.
- b) A commitment on the part of Thailand to limit its exports of manioc to the Community; this commitment will stabilize Thailand export possibilities in the years 1983 and 1984 at the level of its exports in 1981 and 1982, and foresees a clear degressivity of these exports in the years 1985 and 1986.
- c) A commitment on the part of the Community to limit the levy applicable to imports of manioc from Thailand for the agreed quantities to a maximum amount of 6% ad valorem and to take appropriate measures to protect Thailand's position on the Community market. In this context the Commission draws the attention of the Council to its proposals concerning the conclusion of the negotiations with Indonesia and other GATT-suppliers of manioc and the related tariff quotas for the imports of manioc to be established for 1982. The proposed tariff quota for Thailand corresponds to the quantity now agreed.
- d) The draft agreement also contains provisions whereby the Community will do its utmost to provide assistance for certain projects aimed at rural development and crop diversification in Thailand, particularly in the poorest manioc-producing regions of the country.

e) The setting up of a permanent joint working group to monitor the proper application of the provisions of the Agreement.

3. The Commission considers that the draft is in accordance with the Commission's proposal concerning cereal substitutes, and complies with the negotiating directives. It therefore recommends that the Council should:

- a) approve this agreement; and
- b) to that end adopt the decision, the draft of which is attached hereto.

RECOMMENDATION FOR A COUNCIL DECISION

concerning the conclusion of a Cooperation Agreement
between the European Economic Community and Thailand
on manioc production, marketing and trade

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 the conclusion of a Cooperation Agreement between the European
Economic Community and Thailand on manioc production, marketing and trade
is in their mutual interest,

HAS DECIDED AS FOLLOWS :

Article 1

The Cooperation Agreement between the European Economic Community and Thailand
on manioc production, marketing and trade is hereby approved on behalf of the
Community.

The text of the Agreement is annexed to this Decision.

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.

Done at

For the Council
The President

DRAFT CO-OPERATION AGREEMENT
BETWEEN THAILAND AND THE EUROPEAN ECONOMIC COMMUNITY
ON MANIOC PRODUCTION, MARKETING AND TRADE

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

on the one hand,

THE GOVERNMENT OF THE KINGDOM OF THAILAND,

on the other hand

RECOGNISING the dependence of Thailand's economy on the production of manioc and its export to the Community and the problems on the Community market arising from the increasing imports of manioc;

CONSCIOUS that manioc production in Thailand is concentrated in the poorest and most politically sensitive areas;

TAKING into account the objectives of agricultural development and crop diversification in Thailand and the common interest of stabilizing the manioc markets in Thailand and the Community,

AFFIRMING their willingness to cooperate on matter concerning manioc production, marketing and trade on the basis of mutual benefit;

CONSCIOUS that such cooperation should be realised in a progressive and pragmatic way;

HAVE DECIDED to conclude a Cooperation Agreement on Manioc Production, Marketing and Trade and to this end have designated as their plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES :

THE GOVERNMENT OF THE KINGDOM OF THAILAND :

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED AS FOLLOWS :

Article 1

Taking into account the objectives of agricultural development and crop diversification in Thailand and of stabilizing the manioc markets in Thailand and the Community, Thailand undertakes to manage its exports of manioc within the subheading 07.06 A of the Common Customs Tariff to the Community during the five-year period from 1982 to 1986, divided

in such a way as to ensure that these exports do not exceed quantities agreed between Thailand and the Community.

For the year 1982 the export quantity shall be 5 million tonnes.

Phase I

For the years 1983 and 1984, export quantities shall be:

- (a) 5,0 million tonnes per year, and
- (b) an additional quantity of not more than 10% of the annual quantity mentioned in subparagraph (a) which shall be allowed for this two-year period and which may be utilized in full, either wholly in one year or partially in both years, in order to accommodate the usual fluctuation in the production of primary commodities and to facilitate the stabilization of manioc markets in Thailand and the Community.

Phase II

For the years 1985 and 1986 export quantities shall be:

- (a) 4,5 million tonnes per year, and
- (b) an additional quantity of not more than 10% of the annual quantity mentioned in subparagraph (a) which shall be allowed for this two-year period and which may be utilized in full, either wholly in one or partially in both years, in order to accommodate the usual fluctuation in the production of primary commodities and to facilitate the stabilization of manioc markets in Thailand and the Community.

It is understood that the quantities referred to in this Article shall not cover quantities in transit or re-exported to destinations outside the Community, or those subject to inward processing arrangements.

Article 2

If serious additional balance of payments difficulties due to the control of exports of manioc, or major difficulties in the sensitive manioc production regions arise in Thailand, or if serious difficulties arise on the Community's markets for agricultural products, the two parties shall enter into consultation with a view to establishing whether such difficulties exist and, if necessary, shall agree on appropriate measures to be applied for the duration of these difficulties.

Article 3

The Community undertakes to limit the levy applicable to imports of manioc covered by the agreement to a maximum amount of 6% ad valorem and to ensure that Thailand enjoys MFN treatment with respect to the rate of the levy. For the agreed quantities, the other import conditions shall be those existing under the present GATT binding.

Article 4

Taking into account its international rights and obligations, the Community shall take appropriate measures to ensure that Thailand's position on the Community manioc market during the period covered by the agreement will not be significantly undermined by a substantial increase in the quantities of manioc imported from other countries. In this context the Community will also bear in mind the importance of imports of carbohydrate products which could compete directly with manioc.

Article 5

Thailand shall ensure that the quantities covered by the agreement do not exceed the limits specified therein by ensuring that export certificates are not issued for any amount beyond such limits.

For its part, the Community shall undertake to adopt all necessary provisions to issue import licences for the products referred to above originating in Thailand, subject to the presentation of an export certificate, issued by the competent authority designated by the Thai Government. The import licence shall be issued within 7 days of such presentation.

The date of issue of export certificates shall determine the year to which the quantities shipped are to be attributed.

The competent authorities of both parties shall periodically exchange information necessary for verifying the actual quantities exported and imported so as to facilitate the implementation of the agreement.

Article 6

The Community shall do its utmost to provide assistance for projects aimed at rural development and crop diversification in Thailand, and particularly in the poorest cassava-producing regions of the country. It is to be understood that projects under crop diversification shall also include research projects on the marketing of diversified crops as well as on the utilization of manioc.

In providing this assistance, the Community shall, apart from its own financial resources, seek the co-operation of other bilateral and multilateral donors, including, in particular, Member States of the Community.

The Community shall also consider means of promoting the realization of mutually advantageous projects relating to diversification of agricultural production.

Article 7

When the proper functioning of this agreement so requires meetings shall be held at ministerial level between the Government of the Kingdom of Thailand and the Commission of the European Communities.

A permanent joint working group shall be set up, composed of representatives of the Community and of Thailand.

The group shall ensure that the agreement is being properly applied and is functioning smoothly.

It shall review regularly the progress of rural development and crop diversification in Thailand as well as the trends of production, trade and consumption of manioc in Thailand, the Community and the world, and market developments of carbohydrate products directly competitive with manioc.

The group shall discuss any matter relating to the application of the agreement that may be put forward by either party and shall recommend appropriate solutions to the competent authorities.

Meetings of the group shall be held as often as is found necessary, and in any case at least once a year, at a time and place to be agreed.

Article 8

This Agreement shall apply to the territories, in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in the said Treaty, on the one hand and to the territories of the Kingdom of Thailand, on the other hand.

Article 9

The agreement is concluded for the period running from 1 January 1982 to 31 December 1986.

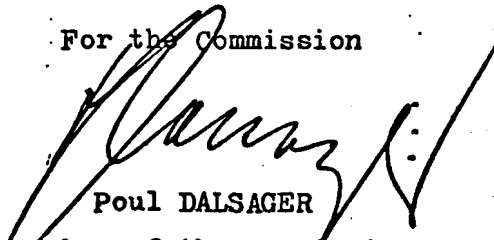
It shall continue to run for subsequent three-year periods based on the quantities established for 1985 and 1986 if it is not denounced by either party at least one year before expiry of the initial five-year period or of any subsequent three-year period.

However, before notifying the denunciation of the agreement, either party should enter into consultation with the other party in order to seek solutions or to agree upon amendments, which would make it possible to continue the agreement.

Article 10

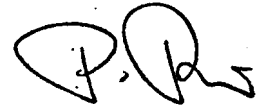
This Agreement is drawn up in two copies in the Danish, Dutch, English, French, German, Greek, Thai and Italian languages, each text being equally authentic.

For the Commission



Poul DALSAGER
Member of the Commission

For the Government of Thailand



Punnamee PUNSRI
Minister of Commerce



