

COUNCIL DECISION**of 10 November 1969****on the conclusion of an Agreement between the European Economic Community and India
on trade in jute products.****(69/406/EEC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 111, 114 and 228 thereof;

Having regard to the report from the Commission;

Whereas during the 1964/67 multilateral trade negotiations the Community undertook to enter into negotiations with India with a view to reaching a satisfactory arrangement on trade in jute products;

Whereas during the negotiations between India and the Community a draft agreement was drawn up and whereas that draft is acceptable to the Community,

HAS DECIDED AS FOLLOWS:

Article 1

An Agreement on trade in jute products, in the form of an Exchange of Letters, is concluded with India on behalf

of the European Economic Community. The text of that 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 and to confer on him the powers required in order to bind the Community.

Done at Brussels, 10 November 1969.

For the Council

The President

H. J. DE KOSTER

ANNEX

Your Excellency,

During the GATT trade negotiations the Community amplified its tariff proposals for jute products in the following Declaration of Intent:

'The EEC is prepared to enter into negotiations with India and Pakistan as soon as possible on the various problems arising in the trade in jute products, with the following objectives:

- to offer to these two countries better access to the Community market within the framework of mutually satisfactory arrangements;
- to arrange for periodic reviews of the situation for the purpose of resolving any questions which may arise in the application of such arrangements.'

In accordance with that declaration, negotiations between the Community and representatives of your Government were entered into in June 1967.

During those negotiations the two Parties agreed, as you know, to seek mutually acceptable solutions while observing the following principles:

- progressive enlargement of access to the Community market for India;
- maintenance of the overall activity of the European jute industry at its present level.

In consequence, I have the honour to confirm that the two Parties have agreed as follows:

A. The Community:

1. agrees, from the entry into force of the Agreement, to apply the tariff concessions agreed in the Kennedy Round for products in categories 1 to 6 (see the definition of those categories and the agreed duties annexed) ⁽¹⁾
2. agrees to suspend customs duties on all imports of packing material, in accordance with the provisions of the Customs Convention on the Temporary Importation of Packing Material.

B. In return, India agrees:

- to restrict its total deliveries to the Community of products in categories 4 and 5 to 5 500 metric tons for the calendar year 1969, with an increase of 250 metric tons per year for each of the following years.
- it being understood that:
 - the quantitative restrictions in force in certain Member States in respect of the two categories of products will be suspended during the period of validity of the Agreement;

⁽¹⁾ The tariff concessions apply to the Common Customs Tariff headings and subheadings indicated below:

57.06 Yarn of jute	8%
57.10 Woven fabrics of jute:	
A. Of a width of not more than 150 cm and weighing per m ²	
I. Less than 310 g	20%
II. Not less than 310 g but not more than 500 g	19%
III. More than 500 g	15%
B. Of a width of more than 150 cm	22%
62.03 Sacks and bags, of a kind used for the packing of goods:	
A. Of jute fabrics:	
II. Other:	
(a) Of woven fabrics weighing less than 310 g/m ²	20%
(b) Of woven fabrics weighing not less than 310 but not more than 500 g/m ²	19%
(c) Of woven fabrics weighing more than 500 g/m ²	15%

H. E. Ambassador Th. Swaminathan
 Head of the Indian Mission to the European Community,
 121 Avenue Molière,
 Brussels

- the Community will not object to the ceiling mentioned above being exceeded if there should be additional requirements on the Community market;
 - this Community ceiling will be administered by dual supervision.
- C. A Joint Cooperation Committee shall be established. It shall consist of representatives of India and representatives of the European Economic Community. The Committee shall meet, at the request of one of the Parties, at least once a year.
- to review all important aspects of the jute economy as a whole, including competition on third-country markets for manufactured jute products;
 - to seek mutually acceptable solutions;
 - to submit proposals to the respective competent authorities.
- D. The first annual review provided for under item C above shall be a general review of all the jute products listed in the Annex.
- E. This Agreement shall enter into force on the first day of the second month following the date of its signature. It is concluded for the period to 31 December, 1972.

I shall be grateful if you will confirm the agreement of your Government with the contents of this letter.

Please accept, Your Excellency, the assurance of my highest consideration.

*President of the Delegation
of the European Communities*

Definition of the categories of jute products and duties agreed in the Kennedy Round

<i>Category 1:</i>	Woven fabrics of jute of a width of not more than 150 cm and weighing more than 500 g/m ² and sacks of woven jute fabrics weighing more than 500 g/m ²	15 %
<i>Category 2:</i>	Woven fabrics of jute of a width of not more than 150 cm and weighing not less than 310 g/m ² but not more than 500 g per sq m and sacks of woven jute fabrics weighing not less than 310 g per sq m but not more than 500 g/m ²	19 %
<i>Category 3:</i>	Woven fabrics of jute of a width of not more than 150 cm and weighing less than 310 g/m ² and sacks of woven jute fabrics weighing less than 310 g/m ²	20 %
<i>Category 4:</i>	Woven fabrics of jute of a width of more than 150 cm but not more than 230 cm, of whatever weight per m ²	22 %
<i>Category 5:</i>	Woven fabrics of jute of a width of more than 230 cm, of whatever weight per m ² ..	22 %
<i>Category 6:</i>	Jute yarn.....	8 %

Sir,

I have the honour to acknowledge your letter of worded as follows:

'During the GATT trade negotiations the Community amplified its tariff proposals for jute in the following Declaration of Intent:

"The EEC is prepared to enter into negotiations with India and Pakistan as soon as possible on the various problems arising in the trade in jute products, with the following objectives:

- to offer to these two countries better access to the Community market within the framework of mutually satisfactory arrangements;
- to arrange for periodic reviews of the situation for the purpose of resolving any questions which may arise in the application of such arrangements."

In accordance with that declaration, negotiations between the Community and representatives of your Government were entered into in June 1967.

During those negotiations the two Parties agreed, as you know, to seek mutually acceptable solutions while observing the following principles:

- progressive enlargement of access to the Community market for India;
- maintenance of the overall activity of the European jute industry at its present level.

In consequence, I have the honour to confirm that the two Parties have agreed as follows:

A. The Community:

1. agrees, from the entry into force of the Agreement, to apply the tariff concessions agreed in the Kennedy Round for products in categories 1 to 6 (see the definition of those categories and the agreed duties annexed.)⁽¹⁾
2. agrees to suspend customs duties on all imports of packing material, in accordance with the provisions of the Customs Convention on the Temporary Importation of Packing Material.

B. In return, India agrees:

- to restrict its total deliveries to the Community of products in categories 4 and 5 to 5 500 metric tons for the calendar year 1969, with an increase of 250 metric tons per year for each of the following years.
- it being understood that:
 - the quantitative restrictions in force in certain Member States in respect of the two categories of products will be suspended during the period of validity of the Agreement;
 - the Community will not object to the ceiling mentioned above being exceeded if there should be additional requirements on the Community market;

⁽¹⁾ The tariff concessions apply to the Common Customs Tariff headings and subheadings indicated below:

57.06 Yarn of jute	8%
57.10 Woven fabrics of jute:	
A. Of a width of not more than 150 cm and weighing per m ²	
I. Less than 310 g	20%
II. Not less than 310 g but not more than 500 g	19%
III. More than 500 g	15%
B. Of a width of more than 150 cm	22%
62.03 Sacks and bags, of a kind used for the packing of goods:	
A. Of jute fabrics:	
II. Other:	
(a) Of woven fabrics weighing less than 310 g/m ²	20%
(b) Of woven fabrics weighing not less than 310 but not more than 500 g/m ²	19%
(c) Of woven fabrics weighing more than 500 g/m ²	15%

To Mr.
 Head of the Delegation
 of the European Communities

— this Community ceiling shall be administered by dual supervision.

C. A Joint Cooperation Committee shall be established. It shall consist of representatives of India and representatives of the European Economic Community. The Committee shall meet, at the request of one of the Parties, at least once a year,

— to review all important aspects of the jute economy as a whole, including competition in third-country markets for manufactured jute products,

— to seek mutually acceptable solutions,

— to submit proposals to the respective competent authorities.

D. The first annual review provided for under item C above shall be a general review of all the jute products listed in the Annex.

E. This Agreement shall enter into force on the first day of the second month following the date of its signature. It is concluded for the period to 31 December 1972.'

Please accept, Your Excellency, the assurance of my highest consideration.

SWAMINATHAN

Head of the Indian Delegation
