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Legislation

Contents

I Acts whose publication is obligatory

.

II Acts whose publication is not obligatory

Council

2004/804/EC:

- ★ **Council Decision of 30 March 2004 on the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and Barbados, Belize, the Republic of Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Suriname, Saint Christopher and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zambia and the Republic of Zimbabwe concerning the accession of the Republic of Mozambique to Protocol No 3 on ACP Sugar of Annex V to the ACP-EC Partnership Agreement** 1

Agreement in the form of an exchange of letters between the European Community and Barbados, Belize, the Republic of Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Suriname, Saint Christopher and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zambia and the Republic of Zimbabwe on the accession of the Republic of Mozambique to Protocol No 3 on ACP sugar of Annex V to the ACP-EC Partnership Agreement 2

2004/805/EC:

- ★ **Decision No 2/2004 of the EC-Mexico Joint Council of 28 April 2004 introducing a preferential tariff rate quota for certain products originating in Mexico and listed in Annex I to Decision No 2/2000 of the EC-Mexico Joint Council** 8

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 30 March 2004

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and Barbados, Belize, the Republic of Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Suriname, Saint Christopher and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zambia and the Republic of Zimbabwe concerning the accession of the Republic of Mozambique to Protocol No 3 on ACP Sugar of Annex V to the ACP-EC Partnership Agreement

(2004/804/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Article 1

Having regard to the Treaty establishing the European Community, and in particular Article 133, in conjunction with the first sentence of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Joint Declaration in Protocol No 3 on ACP Sugar of Annex V to the Partnership Agreement between the African, Caribbean and Pacific States and the European Community and its Member States signed in Cotonou (Benin) on 23 June 2000 ('ACP-EC Partnership Agreement')⁽¹⁾ provides that any request from an African, Caribbean or Pacific (ACP) State Contracting Party to the Agreement not specifically referred to in that Protocol to participate in its provisions shall be examined;
- (2) The Republic of Mozambique is an ACP State Contracting Party to the ACP-EC Partnership Agreement and has requested to participate in the provisions of the said Protocol;
- (3) In a letter of 20 October 2003, the ACP States have signified their assent to the accession of the Republic of Mozambique to the said Protocol;
- (4) Following an examination of the request of the Republic of Mozambique showing that the country is a net exporter of sugar and capable to export sugar on a permanent basis, it is appropriate to propose the accession of the Republic of Mozambique to the said Protocol,

The Agreement in the form of an Exchange of Letters between the European Community and Barbados, Belize, the Republic of Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Suriname, Saint Christopher and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zambia and the Republic of Zimbabwe on the accession of the Republic of Mozambique to Protocol No 3 on ACP Sugar of Annex V to the ACP-EC Partnership Agreement is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 30 March 2004.

For the Council
The President
M. McDOWELL

⁽¹⁾ OJ L 317, 15.12.2000, p. 269.

AGREEMENT

in the form of an exchange of letters between the European Community and Barbados, Belize, the Republic of Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Suriname, Saint Christopher and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zambia and the Republic of Zimbabwe on the accession of the Republic of Mozambique to Protocol No 3 on ACP sugar of Annex V to the ACP-EC Partnership Agreement

A. Letter No 1

Brussels, 16 September 2004

Sir,

The African, Caribbean and Pacific (ACP) States referred to in Protocol No 3 on ACP Sugar of Annex V to the ACP-EC Partnership Agreement, the Republic of Mozambique and the European Community have agreed on the following.

The Republic of Mozambique is hereby included in Article 3(1) of the said Protocol with effect from 1 July 2003 with an agreed quantity of 0 tonnes.

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 European Community.

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

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar

A handwritten signature in black ink, appearing to be 'Tham', with a horizontal line above the 'm'.

B. Letter No 2

Brussels, 16 September 2004

Sir,

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

'The African, Caribbean and Pacific (ACP) states referred to in Protocol No 3 on ACP Sugar of Annex V to the ACP-EC Partnership Agreement, the Republic of Mozambique and the European Community have agreed on the following.

The Republic of Mozambique is hereby included in Article 3(1) of the said Protocol with effect from 1 July 2003 with an agreed quantity of 0 tonnes.

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 European Community.'

I have the honour to confirm the agreement of the Governments of the ACP States referred to in your letter with the contents thereof.

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

*For the Governments of the ACP States referred to in Protocol
No 3 and of
the Republic of Mozambique*

For the Government of Barbados



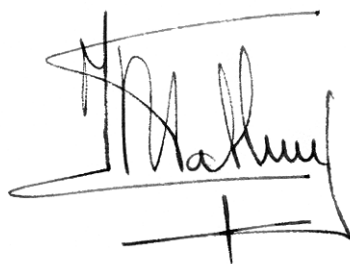
For the Government of Belize



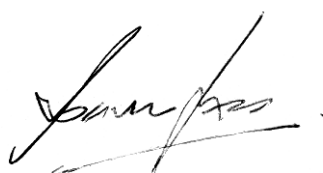
Pour le gouvernement de la République du Congo



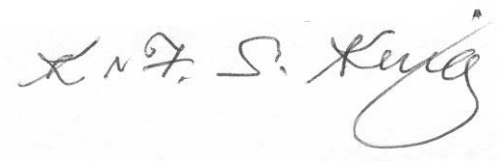
Pour le gouvernement de la République de Côte d'Ivoire



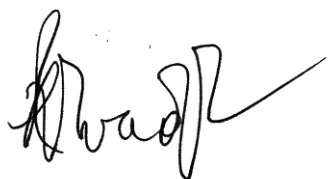
For the Government of the Sovereign Democratic Republic of Fiji



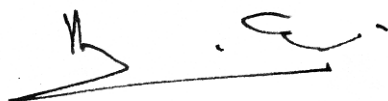
For the Government of the Cooperative Republic of Guyana



For the Government of Jamaica



For the Government of the Republic of Kenya



Pour le gouvernement de la République de Madagascar



For the Government of the Republic of Malawi



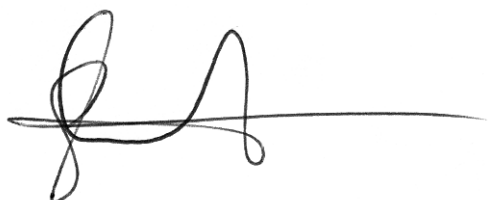
For the Government of the Republic of Mauritius



For the Government of Saint Kitts and Nevis



For the Government of the Republic of Suriname



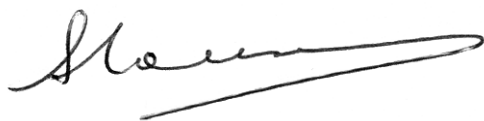
For the Government of the Kingdom of Swaziland



For the Government of the United Republic of Tanzania



For the Government of the Republic of Trinidad and Tobago



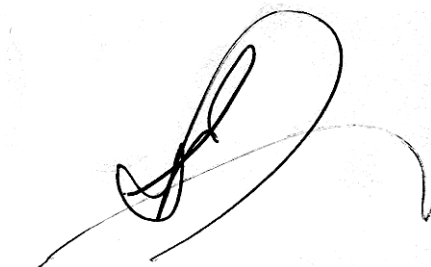
For the Government of the Republic of Uganda



For the Government of the Republic of Zambia



For the Government of the Republic of Zimbabwe



DECISION No 2/2004 OF THE EC-MEXICO JOINT COUNCIL**of 28 April 2004****introducing a preferential tariff rate quota for certain products originating in Mexico and listed in Annex I to Decision No 2/2000 of the EC-Mexico Joint Council**

(2004/805/EC)

THE JOINT COUNCIL,

HAS DECIDED AS FOLLOWS:

Article 1

Having regard to the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part, signed in Brussels on 8 December 1997,

The European Community shall introduce a preferential tariff rate quota for tuna loins originating in Mexico, according to Annex III to Decision No 2/2000, as set out in the Annex to this Decision.

Article 2

Having regard to Decision No 2/2000 of the EC-Mexico Joint Council of 23 March 2000⁽¹⁾ (Decision No 2/2000) and in particular Article 3(5) thereof,

From the third year onwards, the yearly quota increase will be conditional upon the exhaustion of the previous year's quota. For the purposes of this Article the quota shall be considered exhausted if, at 31 December of each year, at least 80 % of the total amount available in the year under consideration has been used.

Article 3

Whereas:

The quota will be opened from the day of the entry into force of this Decision. From the second year onwards the quota will be opened on 1 January of each year.

Article 4

(1) Article 10(5) of Decision No 2/2000 states that parties shall enter into negotiations to examine the possibility of opening a preferential tariff rate quota for tuna loins.

This Decision shall enter into force on the 30th day after that of its adoption.

(2) Parties have concluded a mutually satisfactory negotiation.

Done at Brussels, 28 April 2004.

(3) Article 3(5) gives to the Joint Council the capacity to accelerate the elimination of customs duties more rapidly than is provided for in Articles 4 to 10 or otherwise improve the conditions of access according to such Articles.

(4) A decision by the Joint Council to accelerate the elimination of a custom duty or otherwise improve conditions of access shall supersede the terms established in Articles 4 to 10 for the product concerned,

For the Joint Council

The President

L. E. DERBEZ

⁽¹⁾ OJ L 157, 30.6.2000, p. 10. Decision as amended by Decision No 2/2002 (OJ L 133, 18.5.2002, p. 23).

ANNEX

European Community quota on tuna loins originating in Mexico classified under CN code 1604 14 16

Yearly increase from year 3 onwards is subject to conditions laid down in Article 2 of this Decision. The quota is managed on a 'first come, first served' basis.

[illegible]