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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3827/81

of 21 December 1981

on the supply of sugar to the United Nations Relief and Works Agency for Palestine refugees (UNRWA) as food aid

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) has asked the Community to provide food aid in the form of white sugar;

Whereas the white sugar required should be obtained on the Community market;

Whereas, in view of the need to ensure regular supplies, it must, however, be possible to purchase white sugar on the world market if need be;

Whereas to enable this aid to be used effectively the Community should bear the cost not only of the sugar but also of transport to the port of unloading and on to the final destination, plus distribution costs;

Whereas supplies should be obtained at the best price; whereas a tendering procedure should be arranged for that purpose; whereas it may nevertheless prove necessary in exceptional cases to use other procedures in order to save time;

Whereas detailed rules for the implementation of this Regulation should be adopted in accordance with the procedure laid down in Article 41 of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the

common organization of the markets in the sugar sector ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. The following quantity of white sugar produced and in free circulation in the Community shall be made available to UNRWA as food aid: 6 086 tonnes under the 1980/81 sugar marketing year.
2. Should the said white sugar not be available on the Community market on normal terms, it may be purchased on the world market.
3. The sugar shall be delivered to the port of unloading following a tendering procedure. In exceptional circumstances other procedures may be used.
4. The tendering conditions and other arrangements for the implementation of this Article shall be adopted in accordance with the procedure laid down in Article 41 of Regulation (EEC) No 1785/81.

Article 2

For the purposes of Article 1, the Community shall bear:

- the cost of the sugar delivered to the port of unloading,
- the cost of transport to destination and the distribution costs.

⁽¹⁾ Opinion delivered on 18 December 1981 (not yet published in the Official Journal).

⁽²⁾ OJ No L 177, 1. 7. 1981, p. 4.

Article 3

The Commission shall make a lump-sum contribution to UNRWA to meet the expenditure referred to in the second indent of Article 2.

Article 4

This Regulation shall enter into force on the third day following 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, 21 December 1981.

For the Council

The President

N. RIDLEY

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 21 December 1981

on the conclusion of the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA), concerning aid to refugees in the countries of the Near East

(81/1071/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas the Community wishes to continue its programme of aid to Palestine refugees in the Near East;

Whereas the Convention ⁽²⁾, approved on 21 April 1980 and concluded with the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East, expired on 31 December 1980;

Whereas a new Convention, providing for contributions in kind and in cash over a period of three years, should be concluded with UNRWA so that the Community's aid can continue to be provided as part of a comprehensive operation offering a measure of continuity;

Whereas Article 43 of the Treaty does not provide sufficient enabling powers,

Article 1

The Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East is hereby approved on behalf of the Community.

The text of the Convention is attached to this Decision.

Article 2

Questions relating to the application of the Convention shall be examined by the Commission together with UNRWA.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Convention in order to bind the Community.

Done at Brussels, 21 December 1981.

For the Council

The President

N. RIDLEY

⁽¹⁾ Opinion delivered on 18 December 1981 (not yet published in the Official Journal).

⁽²⁾ OJ No L 108, 26. 4. 1980, p. 56.

CONVENTION

between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East

Article 1

Anxious to continue its programme of aid to Palestine refugees, the European Economic Community (hereinafter referred to as 'the Community') hereby concludes this Convention with the United Nations Relief and Works Agency for Palestine Refugees (hereinafter referred to as 'UNRWA') providing for contributions to UNRWA in kind and in cash for a three-year period, for use under the Basic Rations Programme and the Supplementary Feeding Programme.

Article 2

Basic Rations Programme

1. The Community shall supply to UNRWA for each year of this Convention specific quantities of wheat flour, skimmed-milk powder enriched with vitamins, butteroil and white sugar for use under the Basic Rations Programme. The quantities to be supplied for the initial period of the Convention are given in paragraph 1 of the Annex which forms an integral part of this Convention.

2. The Community shall be responsible for transport of the products to ports of unloading. Detailed arrangements shall be agreed between the two parties.

3. The Community shall pay to UNRWA a specific sum per tonne of each product actually received by UNRWA, as a contribution to the costs of internal transport and distribution in the period covered by this Convention. The amount to be paid for this purpose in the initial period of the Convention is given in paragraph 2 of the Annex.

4. UNRWA shall distribute the products as rations to Palestine eligible for the Basic Rations Programme, free of charge and for their own consumption.

5. UNRWA shall send to the Community before 1 March of each year a report on the Basic Rations Programme, notably on the use of the contributions supplied in kind and in cash under this Convention.

Article 3

Supplementary Feeding Programme

1. The Community shall supply to UNRWA for each year of this Convention specific quantities of wheat flour, milled rice, skimmed-milk powder enriched with vitamins, butteroil and white sugar for use under the Supplementary Feeding Programme. The quantities to be supplied for the initial period of this Convention are given in paragraph 1 of the Annex.

2. The Community shall be responsible for transport of the products to ports of unloading. Detailed arrangements shall be agreed between the two parties.

3. (a) The Community shall pay to UNRWA for each year of this Convention a cash sum as a contribution to the costs of operating the Supplementary Feeding Programme. The cash sum to be paid for the initial period of this Convention is given in paragraph 2 of the Annex.

(b) Part of this sum shall be spent on the purchase on the Community market of products to be used under the Supplementary Feeding Programme, notably the purchase of specific quantities of corned beef and tomato paste in each year of this Convention. The quantities of corned beef and tomato paste to be purchased in the initial period of this Convention are given in paragraph 3 of the Annex.

4. UNRWA shall distribute the products free of charge as prepared foods or drinks to Palestine refugees eligible for the Supplementary Feeding Programme. The skimmed-milk powder may also be distributed in the form of powder in health centres.

5. Any products supplied in excess of requirements shall be used exclusively in other UNRWA programmes. Any cash paid in excess of requirements shall be transferred to UNRWA's general budget, provided agreement has been given by the Commission of the European Communities. In these circumstances the Community may reduce its contributions in kind or cash for the following year.

6. UNRWA shall send to the Community twice each year, before 1 March and 1 September, a report on the Supplementary Feeding Programme. This report shall cover:

- operation of the programme, including the number, category and location of recipients and the services provided,
- cost of the programme, including costs of staff and the purchase of foodstuffs and other materials,
- use of Community contributions in kind and in cash.

Article 4

Care of products

UNRWA shall be responsible for transport and distribution of the products after delivery has been made. It shall exercise every care over the products and shall insure them against loss or damage, to the extent that this is feasible. In case of loss or damage, whether or not covered by insurance, UNRWA shall replace the products so as to restore the Community's contribution, except in case of riots, civil commotions or armed conflicts, or of risks against which insurance could not have been effected on reasonable terms.

Article 5

Information

UNRWA shall take all reasonable steps to inform the Palestine refugees and the authorities of the host countries, of the aid received from the Community and from its Member States.

Article 6

UNRWA shall give every facility to any person nominated by the Community for the purpose of observing the Agency's receipt, storage and distribution of the Community's aid. UNRWA shall also provide such supplementary information as may reasonably be requested by the person so nominated.

Article 7

Any questions arising out of this Convention shall be settled between the two parties by consultation, at the request of either party.

Article 8

Duration of the Convention

This Convention shall cover a period of three calendar years (1981, 1982 and 1983). There shall, however, be an initial period under the Convention, beginning on 1 January 1981 and ending on 31 December 1981. The Convention may be prolonged by agreement between the two parties, with or without amendment, until 31 December 1983. If no decision to this effect has been taken by 31 December of the preceding year, application of the Convention shall be suspended until a decision is taken.

Article 9

This Convention is drawn up to two copies in the Danish, Dutch, English, French, German, Greek and Italian languages, each version being equally authentic.

ANNEX

INITIAL PERIOD OF THE CONVENTION

(1 January to 31 December 1981)

1. Contributions in kind

— *Basic Rations Programme*

- 27 593 tonnes of wheat flour (equivalent to 36 700 tonnes of unprocessed cereals)
- 732 tonnes of skimmed-milk powder enriched with vitamins
- 3 735 tonnes of butteroil
- 6 000 tonnes of white sugar

— *Supplementary Feeding Programme*

- 2 150 tonnes of wheat flour (equivalent to 2 860 tonnes of unprocessed cereals)
- 152 tonnes of milled rice (equivalent to 440 tonnes of unprocessed cereals)
- 900 tonnes of skimmed-milk powder enriched with vitamins
- 165 tonnes of butteroil
- 86 tonnes of white sugar

2. Contribution in cash

— *Basic Rations Programme*

- Sum paid per tonne of products received: US \$ 35

— *Supplementary Feeding Programme*

- Cash contribution to operating costs of Supplementary Feeding Programme: Equivalent of 3 000 000 ECU in US \$

3. Foodstuffs to be bought on the Community market

- corned beef 315 480 tonnes
 - tomato paste 20 880 tonnes
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