Council of the
European Union

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PROBA 18
AGRI 390
WTO 63

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION on the position to be taken on behalf of the European Union in the International Sugar Council's Accessions Committee concerning the conditions for accession of the State of Kuwait to the International Sugar Agreement, 1992

COUNCIL DECISION (EU) 2024/…

of …

on the position to be taken on behalf of the European Union in the International Sugar Council's Accessions Committee concerning the conditions for accession of the State of Kuwait to the International Sugar Agreement, 1992

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The International Sugar Agreement, 1992 (the 'Agreement') was concluded by the Union by means of Council Decision 92/580/EEC[1] and entered into force on 1 January 1993.

(2) Pursuant to Article 45(2) of the Agreement, the International Sugar Council (the 'ISC') is able to extend the Agreement for successive periods, not exceeding two years on each occasion. Since its conclusion, the Agreement has regularly been extended. The Agreement was last extended on 27 November 2023 and remains in force until 31 December 2024.

(3) Article 41 of the Agreement provides that the Agreement is open for accession by Governments of all States in accordance with the conditions established by the ISC. At its first meeting held in 1993, the ISC established an Accessions Committee, which was tasked with considering applications for accession to the Agreement of States not listed in the Annex thereto. The Union is a member of the Accessions Committee.

[1] Council Decision 92/580/EEC of 13 November 1992 on the signing and conclusion of the International Sugar Agreement, 1992 (OJ L 379, 23.12.1992, p. 15).

(4) The Government of the State of Kuwait has formally expressed its interest in acceding to the Agreement. In view of the fact that the State of Kuwait is not listed in the Annex to the Agreement, conditions for its accession need to be established. Therefore, the Accessions Committee is invited to take a decision, by exchange of correspondence, to establish the conditions for the accession of the State of Kuwait to the Agreement. Those conditions are the number of votes, the payment of an annual contribution, and the obligations regarding reporting to the ISC.

(5) Approving the conditions for accession of the State of Kuwait under the approach established by the ISC is in the interest of the Union in view of the State of Kuwait's position as a significant regional importer of sugar and as an established export destination of sugar produced in the Union.

(6) In accordance with Article 25(4) of the Agreement, when a state accedes to the Agreement after its entry into force and is not listed in the Annex thereto, the ISC is to decide the number of votes to be allocated to that state. The State of Kuwait's accession to the Agreement will therefore affect the balance of decision making within the ISC.

(7) It is appropriate to establish the position to be taken on the Union's behalf in the Accessions Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the International Sugar Council's Accessions Committee shall be to approve the conditions for the accession of the State of Kuwait to the International Sugar Agreement, 1992 (the 'Agreement'), and to ensure that the number of votes to be allocated to the State of Kuwait is calculated in accordance with Article 25(4) of the Agreement.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at ...,

For the Council
The President