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Protocols

for the Fifth Extension of the Wheat Trade Convention and Food Aid Convention constituting the International Wheat Agreement 1971

Washington, 25 April-16 May 1979

[Protocol for the Fifth Extension of the Wheat Trade Convention, 1971. The United Kingdom deposited a declaration of provisional application on 22 June 1979 and an instrument of accession on 14 December 1979. With respect to all provisions of the Convention other than Articles 3 to 9 inclusive and Article 21, the Protocol was provisionally applied on 23 June 1979 and entered into force for the United Kingdom on 14 December 1979. With respect to Articles 3 to 9 inclusive and Article 21 of the Convention, the Protocol was provisionally applied on 1 July 1979 and entered into force for the United Kingdom on 14 December 1979.]

[Protocol for the Fifth Extension of the Food Aid Convention, 1971. The United Kingdom deposited a declaration of provisional application on 22 June 1979 and an instrument of accession on 14 December 1979. With respect to all provisions other than Article II of the Convention and Article III of the Protocol, the Protocol was provisionally applied on 23 June 1979 and entered into force for the United Kingdom on 14 December 1979. Article II of the Convention and Article III of the Protocol were provisionally applied on 1 July 1979 and entered into force for the United Kingdom on 14 December 1979.]

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by the Secretary of State for Foreign and Commonwealth Affairs
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**1979 PROTOCOLS FOR THE FIFTH EXTENSION OF THE
WHEAT TRADE CONVENTION AND FOOD AID CONVENTION
CONSTITUTING THE INTERNATIONAL WHEAT AGREEMENT, 1971**

PREAMBLE

The Conference to establish the texts of the 1979 Protocols for the fifth extension of the Conventions constituting the International Wheat Agreement, 1971,⁽¹⁾

Considering that the International Wheat Agreement of 1949⁽²⁾ was revised, renewed or extended in 1953,⁽³⁾ 1956,⁽⁴⁾ 1959,⁽⁵⁾ 1962,⁽⁶⁾ 1965,⁽⁷⁾ 1966,⁽⁸⁾ 1967,⁽⁹⁾ 1968,⁽¹⁰⁾ 1971,⁽¹⁾ 1974,⁽¹¹⁾ 1975,⁽¹²⁾ 1976,⁽¹³⁾ and 1978,⁽¹⁴⁾

Considering that the International Wheat Agreement, 1971, consisting of two separate legal instruments, the Wheat Trade Convention, 1971 and the Food Aid Convention, 1971, both of which were further extended by Protocol in 1978, will expire on 30 June 1979,

Has established the texts of the 1979 Protocols for the fifth extension of the Wheat Trade Convention, 1971 and for the fifth extension of the Food Aid Convention, 1971.

**1979 PROTOCOL FOR THE FIFTH EXTENSION OF
THE WHEAT TRADE CONVENTION, 1971**

The Governments party to this Protocol:

Considering that the Wheat Trade Convention, 1971 (hereinafter referred to as "the Convention") of the International Wheat Agreement, 1971, which was further extended by Protocol in 1978, expires on 30 June 1979,

Have agreed as follows:

-
- (1) Treaty Series No. 21(1972), Cmnd. 4953.
 - (2) Treaty Series No. 65 (1949), Cmd. 7819.
 - (3) United Nations Treaty Series No. 2746, Vol. 203, page 242.
 - (4) United Nations Treaty Series No. 3896, Vol. 270, page 103.
 - (5) Treaty Series No. 28 (1960), Cmnd. 1074.
 - (6) Treaty Series No. 15 (1963), Cmnd. 1867.
 - (7) Treaty Series No. 92 (1965), Cmnd. 2832.
 - (8) Treaty Series No. 64 (1966), Cmnd. 3134.
 - (9) Treaty Series No. 77 (1967), Cmnd. 3468.
 - (10) Treaty Series No. 1 (1969), Cmnd. 3840.
 - (11) Treaty Series No. 20 (1975), Cmnd. 5946.
 - (12) Treaty Series No. 132 (1975), Cmnd. 6282.
 - (13) Treaty Series No. 24 (1977), Cmnd. 6742.
 - (14) Treaty Series No. 1 (1980), Cmnd. 7775.

ARTICLE 1

Extension, expiry and termination of the Convention

Subject to the provisions of Article 2 of this Protocol, the Convention shall continue in force between the parties to this Protocol until 30 June 1981 provided that, if a new international agreement covering wheat enters into force before 30 June 1981 this Protocol shall remain in force only until the date of entry into force of the new agreement.

ARTICLE 2

Inoperative provisions of the Convention

The following provisions of the Convention shall be deemed to be inoperative with effect from 1 July 1979:

- (a) paragraph (4) of Article 19;
- (b) Articles 22 to 26 inclusive;
- (c) paragraph (1) of Article 27;
- (d) Articles 29 to 31 inclusive.

ARTICLE 3

Definition

Any reference in this Protocol to a "Government" or "Governments" shall be construed as including a reference to the European Economic Community (hereinafter referred to as "the Community"). Accordingly, any reference in this Protocol to "signature" or to the "deposit of instruments of ratification, acceptance, approval or conclusion" or "an instrument of accession" or "a declaration of provisional application" by a Government shall, in the case of the Community, be construed as including signature or declaration of provisional application on behalf of the Community by its competent authority and the deposit of the instrument required by the institutional procedures of the Community to be deposited for the conclusion of an international agreement.

ARTICLE 4

Finance

The initial contribution of any exporting or importing member acceding to this Protocol under paragraph (1) (b) of Article 7 thereof, shall be assessed by the Council on the basis of the votes to be distributed to it and the period remaining in the current crop year, but the assessments made upon other exporting and importing members for the current crop year shall not be altered.

ARTICLE 5

Signature

This Protocol shall be open for signature in Washington from 25 April 1979 until and including 16 May 1979 by Governments of countries party to the Convention as further extended by the 1978 Protocol, or which are provisionally regarded as party to the Convention as further extended by the 1978 Protocol, on 21 March 1979, or which are members of the United Nations, of its specialized agencies or of the International Atomic Energy Agency, and are listed in Annex A or Annex B to the Convention.

ARTICLE 6

Ratification, acceptance, approval or conclusion

This Protocol shall be subject to ratification, acceptance, approval or conclusion by each signatory Government in accordance with its respective constitutional or institutional procedures. Instruments of ratification, acceptance, approval or conclusion shall be deposited with the Government of the United States of America not later than 22 June 1979, except that the Council may grant one or more extensions of time to any signatory Government that has not deposited its instrument of ratification, acceptance, approval or conclusion by that date.

ARTICLE 7

Accession

(1) This Protocol shall be open for accession

(a) until 22 June 1979 by the Government of any member listed in Annex A or B to the Convention as of that date, except that the Council may grant one or more extensions of time to any Government that has not deposited its instruments by that date, and

(b) after 22 June 1979 by the Government of any member of the United Nations, of its specialized agencies or of the International Atomic Energy Agency, upon such conditions as the Council considers appropriate by not less than two thirds of the votes cast by exporting members and two thirds of the votes cast by importing members.

(2) Accession shall be effected by the deposit of an instrument of accession with the Government of the United States of America.

(3) Where, for the purposes of the operation of the Convention and this Protocol, reference is made to members listed in Annex A or B to the Convention, any member the Government of which has acceded to the Convention on conditions prescribed by the Council, or to this Protocol in accordance with paragraph (1) (b) of this Article, shall be deemed to be listed in the appropriate Annex.

ARTICLE 8

Provisional application

Any signatory Government may deposit with the Government of the United States of America a declaration of provisional application of this Protocol. Any other Government eligible to sign this Protocol or whose application for accession is approved by the Council may also deposit with the Government of the United States of America a declaration of provisional application. Any Government depositing such a declaration shall provisionally apply this Protocol and be provisionally regarded as a party thereto.

ARTICLE 9

Entry into force

(1) This Protocol shall enter into force among those Governments which have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application, in accordance with Articles 6, 7 and 8 of this Protocol by 22 June 1979 as follows:

- (a) on 23 June 1979 with respect to all provisions of the Convention other than Articles 3 to 9 inclusive and Article 21, and
- (b) on 1 July 1979 with respect to Articles 3 to 9 inclusive, and Article 21 of the Convention,

if such instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application have been deposited not later than 22 June 1979 on behalf of Governments representing exporting members which held at least 60 per cent of the votes set out in Annex A and representing importing members which held at least 50 per cent of the votes set out in Annex B, or would have held such votes respectively if they had been parties to the Convention on that date.

(2) This Protocol shall enter into force for any Government that deposits an instrument of ratification, acceptance, approval, conclusion or accession after 22 June 1979 in accordance with the relevant provisions of this Protocol, on the date of such deposit except that no part of it shall enter into force for such a Government until that part enters into force for other Governments under paragraph (1) or (3) of this Article.

(3) If this Protocol does not enter into force in accordance with paragraph (1) of this Article, the Governments which have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application, may decide by mutual consent that it shall enter into force among those Governments that have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application.

ARTICLE 10

Notification by depositary Government

The Government of the United States of America as the depositary Government shall notify all signatory and acceding Governments of each signature, ratification, acceptance, approval, conclusion, provisional application of, and accession to, this Protocol as well as of each notification and notice received under Article 27 of the Convention and each declaration and notification received under Article 28 of the Convention.

ARTICLE 11

Certified copy of the Protocol

As soon as possible after the definitive entry into force of this Protocol, the depositary Government shall send a certified copy of this Protocol in the English, French, Russian and Spanish languages to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.⁽¹⁵⁾ Any amendments to this Protocol shall likewise be communicated.

ARTICLE 12

Relationship of Preamble to Protocol

This Protocol includes the Preamble to the 1979 Protocols for the fifth extension of the International Wheat Agreement, 1971.

In witness whereof the undersigned, having been duly authorized to this effect by their respective Governments or authorities, have signed this Protocol on the dates appearing opposite their signatures.

The texts of this Protocol in the English, French, Russian and Spanish languages⁽¹⁶⁾ shall be equally authentic. The originals shall be deposited with the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding party and to the Executive Secretary of the Council.

⁽¹⁵⁾ Treaty Series No. 67 (1946), Cmd. 7015.

⁽¹⁶⁾ Texts in the French, Russian and Spanish languages will appear in the United Nations Treaty Series, available through Agency Section, Her Majesty's Stationery Office, P.O. Box 569, London, SE1 9NY. Tel. 01-928 6977, ext. 410.

PROTOCOL FOR THE FIFTH EXTENSION OF THE WHEAT TRADE CONVENTION, 1971

Signatures, Declarations of Provisional Application, Ratifications Acceptances, Approvals and Accessions

<i>State</i>	<i>Date of signature</i>	<i>Date of deposit of declaration of provisional application</i>	<i>Date of deposit of instrument of ratification acceptance (AC) approval (AP) or conclusion</i>	<i>Date of deposit of instrument of accession</i>
Algeria		18 June 1979		
Argentine Republic ...		15 June 1979		
Australia	15 May 1979		30 May 1979	
Austria	11 May 1979		27 Feb. 1980	
Barbados				24 July 1979
Belgium		22 June 1979*		29 Nov. 1979*
Bolivia		19 June 1979		18 July 1979
Brazil	11 May 1979	1 June 1979		
Canada	15 May 1979		15 June 1979	
Costa Rica		21 June 1979		
Cuba	14 May 1979*	14 May 1979*	3 Dec. 1979*	
Denmark				22 June 1979*
Ecuador	16 May 1979			
Egypt, Arab Republic of	14 May 1979	4 June 1979	22 Apr. 1980	
El Salvador	15 May 1979	21 June 1979	13 July 1979	
European Economic Community		22 June 1979*		
Finland	11 May 1979		21 June 1979	
France		22 June 1979*		
Germany, Federal Republic of		22 June 1979*		7 Nov. 1979*
Greece	15 May 1979	31 July 1979		
Guatemala	16 May 1979	27 June 1979	6 May 1980	
India	16 May 1979		21 June 1979	
Iran	16 May 1979	15 June 1979		
Iraq	30 Apr. 1979		15 Aug. 1979	
Ireland, Republic of		22 June 1979*		3 Dec. 1979*
Italy		22 June 1979*		
Japan	25 Apr. 1979	21 June 1979	7 Jan. 1980(AC)†	
Kenya	14 May 1979		2 July 1979	
Korea, Republic of ...	15 May 1979		6 June 1979	
Luxembourg		22 June 1979*		
Malta				6 July 1979
Mauritius	3 May 1979		18 June 1979	
Morocco		21 June 1979		

* For statements and declarations see pages 10—14

† Within the limitations of its internal legislations and budgets.

<i>State</i>	<i>Date of signature</i>	<i>Date of deposit of declaration of provisional application</i>	<i>Date of deposit of instrument of ratification acceptance (AC) approval (AP) or conclusion</i>	<i>Date of deposit of instrument of accession</i>
Netherlands		22 June 1979*		
Norway	15 May 1979		22 June 1979 (AC)	
Pakistan	8 May 1979		22 June 1979	
Panama				20 June 1979
Peru	16 May 1979	7 June 1979	26 Sept. 1979	
Portugal	16 May 1979	1 June 1979		
Saudi Arabia		4 June 1979		3 Aug. 1979
South Africa	11 May 1979		19 June 1979	
Spain	16 May 1979	13 June 1979	9 Jan. 1980	
Sweden	15 May 1979		4 June 1979	
Switzerland	14 May 1979	12 June 1979	12 Mar. 1980	
Syrian Arab Republic				30 May 1979
Trinidad and Tobago				7 Sept. 1979
Tunisia	15 May 1979	15 May 1979		
Union of Soviet Socialist Republics	15 May 1979*		22 June 1979 (AC)*	
United Kingdom		22 June 1979*		14 Dec. 1979*†
United States of America	16 May 1979	15 June 1979		
Vatican City	15 May 1979		5 June 1979	
Venezuela		28 June 1979		

* For statements and declarations see pages 10--14

† The United Kingdom accession also applies to the following territories: The Bailiwick of Guernsey, the Isle of Man, Belize, Bermuda, British Virgin Islands, Gibraltar, Hong Kong, Montserrat and Saint Helena and Dependencies.

STATEMENTS AND DECLARATIONS

BELGIUM

On depositing their declaration of provisional application of the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of Belgium made the following statement which was confirmed on accession:

"... in connection with the Protocol for the further extension of the Wheat Trade Convention of 1971, the Government of Belgium does not accept the reservations accompanying the signature of the Protocol by Cuba on May 14th, 1979, and the Union of Soviet Socialist Republics on May 15th, 1979, relating to the European Economic Community."

CUBA

On signing the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the Republic of Cuba made the following declarations which were confirmed on ratification:

"La República de Cuba declara que la firma del Protocolo 1979, para la quinta prórroga del Convenio sobre el Comercio del Trigo, 1971, no se podrá interpretar como el reconocimiento o aceptación del gobierno fascista de Africa del Sur que no representa, al pueblo sudafricano y que por su práctica sistemática de la política discriminatoria del apartheid, ha sido expulsado de Organismos Internacionales, recibido la condena de la Organización de las Naciones Unidas y la repulsa de todos los pueblos del Mundo".

"La República de Cuba desea reiterar que las disposiciones del artículo 28 del Convenio sobre el Comercio del Trigo, 1971, ya no son aplicables por ser contrarias a la Declaración sobre la Concesión de la Independencia de los países y pueblos coloniales (Resolución 1514) hecha por la Asamblea General de las Naciones Unidas el 14 de diciembre de 1960, en la que se proclama la necesidad de poner fin rápida e incondicionalmente al colonialismo en todas sus formas y manifestaciones".

"La República de Cuba declara en relación con el artículo 3 del Protocolo, 1979 para la quinta prórroga del Convenio sobre el Comercio del Trigo, que la participación de la Comunidad Económica Europea en el mismo no significa la existencia de aceptación de obligaciones de carácter legal para la República de Cuba".

"La República de Cuba declara que aplicará provisionalmente el Protocolo 1979, para la quinta prórroga del Convenio sobre el Comercio del Trigo, 1971, debiendo considerarse por tanto, como Parte Provisional del Protocolo antes mencionado".

"La firma de la República de Cuba al Protocolo 1979, para la quinta prórroga del Convenio sobre el Comercio del Trigo 1971, no podrá interpretarse como el reconocimiento o aceptación a la República de Corea, por considerar que no son los genuinos representantes de los intereses del pueblo coreano".

[Unofficial translation]

"The Republic of Cuba hereby declares that its signature of the 1979 Protocol for the Fifth Extension of the Wheat Trade Convention 1971 may not be construed as recognition or acceptance of the fascist government of South Africa which does not represent the South African people and which because of its systematic practice of the discriminatory policy of apartheid has been expelled from International Organisations, has incurred the condemnation of the United Nations Organisation and has been rejected by all the peoples of the World".

"The Republic of Cuba wishes to state again that the provisions of Article 28 of the Wheat Trade Convention 1971 are not applicable precisely because they are contrary to the Declaration on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514) passed by the United Nations General Assembly on 14 December 1960, which proclaims the need to put an end rapidly and unconditionally to colonialism in all its forms and manifestations".

"The Republic of Cuba hereby declares with regard to Article 3 of the 1979 Protocol for the Fifth Extension of the Wheat Trade Convention 1971 that the participation of the European Economic Community therein does not imply any acceptance of obligations of a legal nature on the part of the Republic of Cuba".

"The Republic of Cuba hereby declares that it will provisionally apply the 1979 Protocol for the Fifth Extension of the Wheat Trade Agreement 1971, and that it should therefore be regarded as a Provisional Party to the aforementioned Protocol".

"The signature by the Republic of Cuba of the 1979 Protocol for the Fifth Extension of the Wheat Trade Agreement 1971 may not be interpreted as recognition or acceptance of the Republic of Korea, because it considers that they [sic] are not the genuine representatives of the interests of the Korean people".

DENMARK

On depositing their instrument of accession to the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of Denmark made the following statement:

"... in connection with the Danish accession to the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of Denmark does not accept the reservation relating to the European Economic Community accompanying the signature of the Union of Soviet Socialist Republics of the said Protocol on May 15, 1979."

EUROPEAN ECONOMIC COMMUNITY

On depositing their declaration of provisional application of the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Council of the European Communities made the following statements:

"... in connection with the Protocol for the Fifth Extension of the Wheat Trade Convention of 1971, the Council of the European Communities does not accept the reservation accompanying the signature of the Protocol by the Republic of Cuba and its deposit of a declaration of provisional application on May 14, 1979, relating to the European Economic Community."

"... in connection with the Protocol for the Fifth Extension of the Wheat Trade Convention of 1971, the Council of the European Communities does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics on May 15, 1979, relating to the European Economic Community."

FRANCE

On depositing their declaration of provisional application of the Protocols for the Fifth Extension of the Wheat Trade Convention, 1971, and the Food Aid Convention, 1971, the Government of the French Republic made the following statement:

"En ce qui concerne les Protocoles précités, le gouvernement de la République Française n'accepte pas les déclarations formulées par le gouvernement cubain et par le gouvernement de l'Union des Républiques Socialistes Soviétiques relatives à la Communauté Economique Européenne."

[Unofficial translation]

... with regard to the above-mentioned Protocols, the Government of the French Republic do not accept the declarations made by the Government of Cuba and the Government of the Union of Soviet Socialist Republics relating to the European Economic Community.

FEDERAL REPUBLIC OF GERMANY

On depositing their declaration of provisional application of the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the Federal Republic of Germany made the following statement:

"... in connection with the Protocol for the further extension of the Wheat Trade Convention, 1971, the Government of the Federal Republic of Germany does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1979 relating to the European Economic Community."

On depositing their instrument of accession to the Protocol, the Government of the Federal Republic of Germany made the following statements:

"... in connection with the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the Federal Republic of Germany does not accept the reservation relating to the European Economic Community accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1979, and repeated in the instrument of acceptance dated June 5, 1979 which was deposited June 22, 1979, with the Government of the United States of America."

"... in connection with the Protocol for the further extension of the Wheat Trade Convention, 1971, the Government of the Federal Republic of Germany does not accept the reservation accompanying the signature of the Republic of Cuba of the Protocol and its deposit of a declaration of provisional application on May 14, 1979 relating to the European Economic Community."

and also the following declaration:

"... the said Protocol shall also apply to Berlin (West) with effect from the date on which it has entered into force for the Federal Republic of Germany."

REPUBLIC OF IRELAND

On depositing their declaration of provisional application of the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the Republic of Ireland made the following statements:

"... in connection with the Protocol for the Fifth Extension of the Wheat Trade Convention of 1971, the Government of Ireland does not accept the reservation relating to the European Economic Community, accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on 15 May, 1979."

"... in connection with the Protocol for the Fifth Extension of the Wheat Trade Convention of 1971, the Government of Ireland does not accept the reservation relating to the European Economic Community, accompanying the signature of the Protocol by the Republic of Cuba and its deposit of a declaration of provisional application on 14 May, 1979."

On depositing their instrument of accession to the Protocol, the Government of the Republic of Ireland made the following statement:

"... in connection with the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of Ireland does not accept the reservation relating to the European Economic Community accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15 and repeated in the instrument of acceptance dated June 5, 1979, which was deposited on June 22, 1979 with the Government of the United States of America. Also, the Government of Ireland does not accept the reservation regarding the EEC accompanying the signature of the Republic of Cuba and repeated on the lodgement of instruments of ratification on December 3."

ITALY

On depositing their declaration of provisional application of the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the Italian Republic made the following statements:

"... in connection with the Protocol for the Fifth Extension of the Wheat Trade Convention of 1971, the Government of the Republic of Italy does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1979, relating to the European Economic Community."

"... in connection with the Protocol for the Fifth Extension of the Wheat Trade Convention of 1971, the Government of the Republic of Italy does not accept the reservation accompanying the signature of the Protocol by the Republic of Cuba and its deposit of a declaration of provisional application on May 14, 1979, relating to the European Economic Community."

LUXEMBOURG

On depositing their declaration of provisional application of the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the Grand-Duchy of Luxembourg made the following statements:

"... in connection with the Protocol for the Fifth Extension of the Wheat Trade Convention of 1971, the Government of the Grand-Duchy of Luxembourg does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1979 relating to the European Economic Community."

"... in connection with the Protocol for the Fifth Extension of the Wheat Trade Convention of 1971, the Government of the Grand-Duchy of Luxembourg does not accept the reservation accompanying the signature of the Protocol by the Republic of Cuba and its deposit of a declaration of provisional application on May 14, 1979, relating to the European Economic Community."

NETHERLANDS

On depositing their declaration of provisional application of the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the Kingdom of the Netherlands made the following statement:

"... in connection with the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the Kingdom of the Netherlands does neither accept the reservation made by the Republic of Cuba accompanying its signature of the Protocol on May 14, 1979, nor the reservation made by the Union of Soviet Socialist Republics accompanying its signature of the Protocol on May 15, 1979, relating to the European Economic Community."

UNION OF SOVIET SOCIALIST REPUBLICS

On signing the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the Union of Soviet Socialist Republics made the following statement:

«Правительство Союза Советских Социалистических Республик заявляет, что участие Союза Советских Социалистических Республик в Протоколе не создает для СССР каких-либо обязательств в отношении Европейского экономического сообщества и что положения Протокола, ограничивающие возможность участия в нем некоторых государств, противоречат общепризнанному принципу суверенного равенства государств».

[Unofficial translation]

"The Government of the Union of Soviet Socialist Republics states that the participation of the Union of Soviet Socialist Republics in the Protocol does not create for the USSR any obligations with respect to the European Economic Community and that the provisions of the Protocol, limiting the possibility for some states to participate in it, are in contradiction to the generally recognized principle of sovereign equality of states."

On depositing their instrument of acceptance of the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the Union of Soviet Socialist Republics made the following statement:

«Правительство Союза Советских Социалистических Республик заявляет, что участие Союза Советских Социалистических Республик в Протоколе не создает для СССР каких-либо обязательств в отношении Европейского экономического сообщества и что положения Протокола, ограничивающие возможность участия в нем некоторых государств, противоречат общепризнанному принципу суверенного равенства государств».

[Unofficial translation]

“The Government of the Union of Soviet Socialist Republics states that adherence of the Union of Soviet Socialist Republics to the Protocol does not establish any commitments for the U.S.S.R. with respect to the European Economic Community, and that the provisions of the Protocol which limit participation in it for certain states run counter to the generally accepted principle of sovereign equality among states.”

UNITED KINGDOM

On depositing their declaration of provisional application of the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the United Kingdom made the following statements:

“... in connection with the Protocol for the further extension of the Wheat Trade Convention, the Government of the United Kingdom of Great Britain and Northern Ireland does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on 15 May 1979 relating to the European Economic Community.”

“... in connection with the Protocol for the further extension of the Wheat Trade Convention, the Government of the United Kingdom of Great Britain and Northern Ireland does not accept the reservation accompanying the signature of the Protocol by the Republic of Cuba and its deposit of a declaration of provisional application on 14 May 1979.”

On depositing their instrument of accession to the Protocol for the Fifth Extension of the Wheat Trade Convention, 1971, the Government of the United Kingdom made the following statement:

“... the Government of the United Kingdom reject the declaration concerning the European Economic Community made by the Union of Soviet Socialist Republics in its instrument of acceptance deposited on 22 June 1979 and the reservation concerning the European Economic Community made by the Republic of Cuba in its instruments of ratification deposited on 3 December 1979.”

**1979 PROTOCOL FOR THE FIFTH EXTENSION
OF THE FOOD AID CONVENTION, 1971**

The parties to this Protocol,

Considering that the Food Aid Convention, 1971 (hereinafter referred to as "the Convention") of the International Wheat Agreement, 1971, which was further extended by Protocol in 1978, expires on 30 June 1979,

Have agreed as follows:

ARTICLE I

Extension, expiry and termination of the Convention

Subject to the provisions of Article II of this Protocol, the Convention shall continue in force between the parties to this Protocol until 30 June 1981 provided that, if a new agreement covering food aid enters into force before 30 June 1981, this Protocol shall remain in force only until the date of entry into force of the new agreement.

ARTICLE II

Inoperative provisions of the Convention

The provisions of paragraphs (1), (2) and (3) of Article II, of paragraph (1) of Article III, and of Articles VI to XIV, inclusive, of the Convention shall be deemed to be inoperative with effect from 1 July 1979.

ARTICLE III

International food aid

(1) The parties to this Protocol agree to contribute as food aid to the developing countries, wheat, coarse grains or products derived therefrom, suitable for human consumption and of an acceptable type and quality, or the cash equivalent thereof, in the minimum annual amounts specified in paragraph (2) below:

(2) The minimum annual contribution of each party to this Protocol is fixed as follows:

	<i>Metric tons</i>
Argentina	23,000
Australia	225,000
Canada	495,000
European Economic Community	1,287,000
Finland	14,000
Japan	225,000
Sweden	35,000
Switzerland	32,000
United States of America	1,890,000

(3) For the purpose of the operation of this Protocol, any party which has signed this Protocol pursuant to paragraph (2) of Article V thereof, or which has acceded to this Protocol pursuant to paragraph (2) or (3) of Article VII thereof, shall be deemed to be listed in paragraph (2) of Article III of this Protocol together with the minimum contribution of such party as determined in accordance with the relevant provisions of Article V or Article VII of this Protocol.

ARTICLE IV

Food Aid Committee

There shall be established a Food Aid Committee whose membership shall consist of the parties listed in paragraph (2) of Article III of this Protocol and of those others that become parties to this Protocol. The Committee shall appoint a Chairman and a Vice-Chairman.

ARTICLE V

Signature

(1) This Protocol shall be open for signature in Washington from 25 April 1979 until and including 16 May 1979 by the Governments of Argentina, Australia, Canada, Finland, Japan, Sweden, Switzerland and the United States of America, and by the European Economic Community and its member States, provided that they sign both this Protocol and the 1979 Protocol for the fifth extension of the Wheat Trade Convention, 1971.

(2) This Protocol shall also be open for signature, on the same conditions, to any party to the Food Aid Convention, 1967⁽⁹⁾ which is not enumerated in paragraph (1) of this Article, provided that its contribution is at least equal to that which it agreed to make in the Food Aid Convention, 1967.

ARTICLE VI

Ratification, acceptance, approval or conclusion

This Protocol shall be subject to ratification, acceptance, approval or conclusion by each signatory in accordance with its constitutional or institutional procedures, provided that it also ratifies, accepts, approves or concludes the 1979 Protocol for the fifth extension of the Wheat Trade Convention, 1971. Instruments of ratification, acceptance, approval or conclusion shall be deposited with the Government of the United States of America not later than 22 June 1979, except that the Food Aid Committee may grant one or more extensions of time to any signatory that has not deposited its instrument of ratification, acceptance, approval or conclusion by that date.

ARTICLE VII

Accession

(1) This Protocol shall be open for accession by any party referred to in Article V of this Protocol, provided it also accedes to the 1979 Protocol for the fifth extension of the Wheat Trade Convention, 1971 and provided further that in the case of any party referred to in paragraph (2) of Article V its contribution is at least equal to that which it agreed to make in the Food Aid Convention, 1967. Instruments of accession under this paragraph shall be deposited not later than 22 June 1979, except that the Food Aid Committee may grant one or more extensions of time to any party that has not deposited its instrument of accession by that date.

(2) The Food Aid Committee may approve accession to this Protocol, as a donor, by the Government of any member of the United Nations, of its specialized agencies or of the International Atomic Energy Agency, on such conditions as the Food Aid Committee considers appropriate, provided that the Government also accedes at the same time to the 1979 Protocol for the fifth extension of the Wheat Trade Convention, 1971, if not already a party to it.

(3) Accession shall be effected by the deposit of an instrument of accession with the Government of the United States of America.

ARTICLE VIII

Provisional application

Any party referred to in Article V of this Protocol may deposit with the Government of the United States of America a declaration of provisional application of this Protocol, provided it also deposits a declaration of provisional application of the 1979 Protocol for the fifth extension of the Wheat Trade Convention, 1971. Any other party whose application for accession is approved may also deposit with the Government of the United States of America a declaration of provisional application, provided that the party also deposits a declaration of provisional application of the 1979 Protocol for the fifth extension of the Wheat Trade Convention, 1971, unless it is already a party to that Protocol or has already deposited a declaration of provisional application of that Protocol. Any such party depositing such a declaration shall provisionally apply this Protocol and be provisionally regarded as a party thereto.

ARTICLE IX

Entry into force

(1) This Protocol shall enter into force for those parties that have deposited instruments of ratification, acceptance, approval, conclusion or accession

- (a) on 23 June 1979 with respect to all provisions other than Article II of the Convention and Article III of the Protocol, and
- (b) on 1 July 1979 with respect to Article II of the Convention and Article III of the Protocol

provided that all parties listed in paragraph (1) of Article V of this Protocol have deposited such instruments or a declaration of provisional application by 22 June 1979 and that the 1979 Protocol for the fifth extension of the Wheat Trade Convention, 1971 is in force. For any other party that deposits an instrument of ratification, acceptance, approval, conclusion or accession after the entry into force of the Protocol, this Protocol shall enter into force on the date of such deposit.

(2) If this Protocol does not enter into force in accordance with the provisions of paragraph (1) of this Article, the parties which by 23 June 1979 have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application, may decide by mutual consent that it shall enter into force among those parties that have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application, provided that the 1979 Protocol for the fifth extension of the Wheat Trade Convention, 1971 is in force, or they may take whatever other action they consider the situation requires.

ARTICLE X

Notification by depositary Government

The Government of the United States of America as the depositary Government shall notify all signatory and acceding parties of each signature, ratification, acceptance, approval, conclusion, provisional application of, and accession to this Protocol.

ARTICLE XI

Certified copy of the Protocol

As soon as possible after the definitive entry into force of this Protocol, the depositary Government shall send a certified copy of this Protocol in the English, French, Russian and Spanish languages to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations⁽¹⁵⁾. Any amendments to this Protocol shall likewise be communicated.

ARTICLE XII

Relationship of Preamble to Protocol

This Protocol includes the Preamble to the 1979 Protocols for the fifth extension of the International Wheat Agreement, 1971.

In witness whereof the undersigned, having been duly authorized to this effect by their respective Governments or authorities, have signed this Protocol on the dates appearing opposite their signatures.

The texts of this Protocol in the English, French, Russian and Spanish languages⁽¹⁶⁾ shall all be equally authentic. The originals shall be deposited with the Government of the United States of America which shall transmit certified copies thereof to each signatory and acceding party.

PROTOCOL FOR THE FIFTH EXTENSION OF THE FOOD AID CONVENTION, 1971

Signatures, Declarations of Provisional Application, Ratifications, Acceptances, Approvals and Accessions

<i>State</i>	<i>Date of signature</i>	<i>Date of deposit of declaration of provisional application</i>	<i>Date of deposit of instrument of ratification acceptance (AC) approval (AP) or conclusion</i>	<i>Date of deposit of instrument of accession</i>
Argentine Republic ...		15 June 1979		
Australia	15 May 1979		30 May 1979	
Belgium		22 June 1979		29 Nov. 1979
Canada	15 May 1979		15 June 1979	
Denmark				22 June 1979
European Economic Community		22 June 1979		
Finland	11 May 1979		21 June 1979	
France		22 June 1979		
Germany, Federal Republic of		22 June 1979		7 Nov. 1979*
Ireland, Republic of...		22 June 1979		3 Dec. 1979
Italy		22 June 1979		
Japan	25 Apr. 1979*†	21 June 1979*‡	7 Jan. 1980(AC)*‡	
Luxembourg		22 June 1979		
Netherlands		22 June 1979		
Norway	15 May 1979†		28 Jan. 1980	
Sweden	15 May 1979		4 June 1979	
Switzerland	14 May 1979	12 June 1979	12 Mar. 1980	
United Kingdom ...		22 June 1979		14 Dec. 1979*
United States of America	16 May 1979	15 June 1979		

* For statements and declarations see page 20

† Subject to approval and ratification.

‡ Within the limitations of its internal legislations and budgets.

STATEMENTS, DECLARATIONS AND RESERVATIONS

FEDERAL REPUBLIC OF GERMANY

On depositing their instrument of accession to the Protocol for the Fifth Extension of the Food Aid Convention, 1971, the Government of the Federal Republic of Germany made the following declaration:

“ . . . the said Protocol shall also apply to Berlin (West) with the effect from the date on which it has entered into force for the Federal Republic of Germany.”

JAPAN

On signing the Protocol for the Fifth Extension of the Food Aid Convention, 1971, the Government of Japan made the following reservation which was confirmed on acceptance:

“ The Government of Japan reserves the right to discharge its obligations under Article III of this Protocol by providing assistance in the form of rice, not excluding rice produced in non-member developing countries, or, if requested by recipient countries, in the form of agricultural materials.”

UNITED KINGDOM

On depositing their declaration of provisional application of the Protocol for the Fifth Extension of the Food Aid Convention, 1971, the Government of the United Kingdom declared that:

“ . . . it does not apply to the territories for whose international relations the United Kingdom is responsible.”