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FOOD



Treaty Series No. 1 (1980)

Protocols

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

Washington, 26 April–17 May 1978

[*Protocol for the Fourth Extension of the Wheat Trade Convention, 1971.* The United Kingdom deposited a declaration of provisional application on 17 May 1978 and an instrument of ratification on 3 May 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 24 June 1978 and entered into force for the United Kingdom on 3 May 1979. With respect to Articles 3 to 9 inclusive, and Article 21 of the Convention, the Protocol was provisionally applied on 1 July 1978 and entered into force for the United Kingdom on 3 May 1979.]

[*Protocol for the Fourth Extension of the Food Aid Convention, 1971.* The United Kingdom deposited a declaration of provisional application on 17 May 1978 and an instrument of ratification on 3 May 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 24 June 1978 and entered into force for the United Kingdom on 3 May 1979. Article II of the Convention and Article III of the Protocol were provisionally applied on 1 July 1978 and entered into force for the United Kingdom on 3 May 1979.]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
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**1978 PROTOCOLS
FOR THE FOURTH 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 1978 Protocols for the fourth 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⁾ and 1976⁽¹³⁾,

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 1976, will expire on 30 June 1978,

Has established the texts of the 1978 Protocols for the fourth extension of the Wheat Trade Convention, 1971 and for the fourth extension of the Food Aid Convention, 1971.

(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.

1978 PROTOCOL FOR THE FOURTH 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 1976, expires on 30 June 1978.

Have agreed as follows:

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 1979 provided that, if a new international agreement covering wheat enters into force before 30 June 1979 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 1978:

- (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 26 April 1978 until and including 17 May 1978 by Governments of countries party to the Convention as further extended by the 1976 Protocol, or which are provisionally regarded as party to the Convention as further extended by the 1976 Protocol, on 23 March 1978, 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 23 June 1978, 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 23 June 1978 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 instrument by that date, and
 - (b) after 23 June 1978 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 23 June 1978 as follows:

- (a) on 24 June 1978 with respect to all provisions of the Convention other than Articles 3 to 9 inclusive and Article 21, and
- (b) on 1 July 1978 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 23 June 1978 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 23 June 1978 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⁽¹⁴⁾. Any amendments to this Protocol shall likewise be communicated.

ARTICLE 12

Relationship of Preamble to Protocol

This Protocol includes the Preamble to the 1978 Protocols for the fourth 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⁽¹⁵⁾ 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.

⁽¹⁴⁾ Treaty Series No. 67 (1946), Cmd. 7015.

⁽¹⁵⁾ 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 FOURTH EXTENSION OF THE WHEAT TRADE CONVENTION, 1971

Signatures, Declarations of Provisional Application, Ratification, 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) or approval (AP) or conclusion</i>	<i>Date of deposit of instrument of accession</i>
Argentine Republic	17 May 1978	26 May 1978		
Australia				13 June 1978
Austria	11 May 1978		29 Jan. 1979	
Barbados				21 June 1978
Belgium	17 May 1978*	17 May 1978		
Bolivia				23 June 1978
Brazil	17 May 1978	19 June 1978		
Canada	17 May 1978		31 May 1978	
Costa Rica		23 June 1978		
Cuba		16 June 1978		15 Sept. 1978*
Denmark	17 May 1978*		21 June 1978*	
Ecuador	16 May 1978	15 June 1978	9 Aug. 1978	
Egypt	16 May 1978	19 June 1978	18 July 1978	
El Salvador		16 June 1978		13 March 1979
European Economic Community	17 May 1978*	23 June 1978		
Finland	12 May 1978	23 June 1978	22 Dec. 1978	
France	17 May 1978*	22 June 1978		
Germany, Federal Republic of	17 May 1978*	17 May 1978	28 Sept. 1978*	
Greece	17 May 1978			
Guatemala		14 June 1978		
India	16 May 1978		21 June 1978	
Iran		19 June 1978		
Iraq	9 May 1978	23 June 1978	25 Aug. 1978*	

Ireland, Republic of	...	...	...	...	17 May 1978*	23 June 1978	18 Aug. 1978	
Italy	...	...	...	...	17 May 1978*	17 May 1978		
Japan	...	...	...	...	16 May 1978	23 June 1978†	15 Nov. 1978	
Kenya	...	...	...	...		23 June 1978		
Korea, Republic of	...	...	...	...	11 May 1978		23 May 1978	
Lebanon	...	...	...	...	15 May 1978			
Luxembourg	...	...	...	...	17 May 1978*	17 May 1978	6 March 1979	
Malta	...	...	...	...		21 June 1978		3 July 1978
Mauritius	...	...	...	...	9 May 1978	20 June 1978	30 Aug. 1978	
Netherlands, Kingdom of	...	...	...	...	17 May 1978*		23 June 1978 (AP)*	
Nigeria	...	...	...	...		18 Aug. 1978		
Norway	...	...	...	...	16 May 1978	23 June 1978	3 July 1978 (AC)	
Pakistan	...	...	...	...	11 May 1978		19 June 1978	
Panama	...	...	...	...		23 June 1978		17 July 1978
Peru	...	...	...	...	17 May 1978		5 Oct. 1978	
Portugal	...	...	...	...	17 May 1978	21 June 1978		
∞ Saudi Arabia	...	...	...	...		14 June 1978		9 Aug. 1978
South Africa	...	...	...	...	2 May 1978		9 June 1978	
Spain	...	...	...	...	17 May 1978	22 June 1978	28 Dec. 1978	
Sweden	...	...	...	...	17 May 1978	22 June 1978	3 July 1978	
Switzerland	...	...	...	...	15 May 1978	7 June 1978	6 Feb. 1979	
Syria	...	...	...	...		18 July 1978		
Trinidad and Tobago	...	...	...	...				15 Dec. 1978
Tunisia	...	...	...	...		4 May 1978		
Union of Soviet Socialist Republics	...	...	...	...	15 May 1978*		9 June 1978 (AC)	
United Kingdom	...	...	...	...	17 May 1978*	17 May 1978	3 May 1979†	
United States of America	...	...	...	...	17 May 1978	20 June 1978†	20 July 1979	
Vatican City	...	...	...	...	5 May 1978	22 June 1978	20 Dec. 1978	
Venezuela	...	...	...	...		6 July 1978		

* For statements and declarations see pages 9—13.

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

‡ Within the limitation of its internal legislation and budget.

STATEMENTS AND DECLARATIONS

BELGIUM

On signing the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of Belgium made the following statement:

..... "in connection with the Protocol for the further extension of the Wheat Trade Convention, 1971, the Government of Belgium does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1978 relating to the European Community."

CUBA

On depositing their instrument of accession to the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of the Republic of Cuba made the following declarations:

"La República de Cuba declara que la Adhesión al Protocolo para la Cuarta 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 Adhesión de la República de Cuba al Protocolo para la Cuarta 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".

"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 para la Cuarta 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".

[Unofficial translation]

The Republic of Cuba hereby declares that accession to the Protocol for the Fourth 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 received the condemnation of the United Nations, and has been rejected by all peoples of the world.

Accession by the Republic of Cuba to the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, may not be construed as recognition or acceptance of the Republic of Korea, inasmuch as it is not considered to be genuinely representative of the interests of the Korean people.

The Republic of Cuba wishes to reiterate that the provisions of Article 28 of the Wheat Trade Convention, 1971 are no longer applicable because they are contrary to the Declaration on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514) made by the United Nations General Assembly on December 14, 1960, proclaiming the necessity of bringing colonialism in all its forms and manifestations to a speedy and unconditional end.

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

DENMARK

On signing the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of Denmark made the following statement, which was confirmed on ratification:

... "in connection with the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of Denmark does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1978, relating to the European Community".

EUROPEAN ECONOMIC COMMUNITY

On signing the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Council of the European Communities made the following statement:

... "in connection with the Protocol for the Fourth 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 of the Protocol on May 15, 1978, relating to the European Economic Community."

FRANCE

On signing the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Council of the European Communities made the following statement:

... "en ce qui concerne le protocole portant quatrième prorogation de la Convention sur le Commerce du Blé de 1971, le gouvernement français n'accepte pas la réserve que l'Union des Républiques Socialistes Soviétiques a formulée à l'égard de la Communauté Economique Européenne en procédant le 15 Mai 1978 à la signature de ce protocole."

[Unofficial translation]

... with regard to the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the French Government do not accept the reservation relating to the European Economic Community made by the Union of Soviet Socialist Republics when signing the Protocol on 15 May 1978.

FEDERAL REPUBLIC OF GERMANY

On signing the Protocol for the Fourth 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, 1978, relating to the European Economic Community."

On depositing its instrument of ratification of the Protocol, the Government of the Federal Republic of Germany made the following statement:

... "in connection with the Protocol for the Fourth 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 of May 15, 1978 and repeated in the instrument of acceptance dated May 28, 1978 which was deposited June 9, 1978 with the Government of the United States of America."

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."

IRAQ

The instrument of ratification, deposited by the Government of Iraq, of the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, contained the following statement:

[Translation]

"This ratification constitutes, under no circumstances, a recognition of Israel or entering into any relations with it."

REPUBLIC OF IRELAND

On signing the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of the Republic of Ireland made the following statement:

... "in connection with the Protocol for the Fourth 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 that Protocol on May 15, 1978."

On depositing its instrument of ratification of the Protocol, the Government of the Republic of Ireland made the following statement:

... "in connection with the Protocol for the further 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 May 28, 1978, which was deposited on June 9, 1978 with the Government of the United States of America."

ISRAEL

The Government of the State of Israel, referring to the statement contained in the instrument of ratification of the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, deposited by the Government of Iraq, made the following statement dated 22 January 1979:

"The Government of the State of Israel has noted the political character of the statement made by the Government of Iraq on that occasion. In the view of the Government of the State of Israel, this Protocol is not the proper place for making such political pronouncements. Moreover, the said declaration cannot in any way affect whatever obligations are binding upon Iraq under general international law or under particular conventions. The Government of the State of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity."

ITALY

On signing the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of the Republic of Italy made the following statement:

... "in connection with the Protocol for the fourth extension of the Wheat Trade Convention, 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, 1978 relating to the European Economic Community."

LUXEMBOURG

On signing the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of the Grand Duchy of Luxembourg made the following statement:

... "in connection with the Protocol for the Fourth Extension of the Wheat Trade Convention 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, 1978 relating to the European Economic Community."

NETHERLANDS

On signing the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of the Kingdom of the Netherlands made the following statement which was confirmed on the deposit of its instrument of ratification of the Protocol:

... "in connection with the Protocol for the fourth extension of the Wheat Trade Convention, 1971, the Government of the Kingdom of the Netherlands does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 5, 1978 relating to the European Economic Community."

UNION OF SOVIET SOCIALIST REPUBLICS

On signing the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of the Union of Soviet Socialist Republics made the following statement which was confirmed on deposit of their instrument of acceptance:

«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.

A Diplomatic Note dated 9 February 1979 from the Embassy of the Union of Soviet Socialist Republics at Washington to the Department of State of the United States of America, referring to the deposit by the Federal Republic of Germany of instruments of ratification of the 1978 Protocols on the fourth extension of the term of the Wheat Trade Convention and the Food Aid Convention, which make up the International Wheat Agreement of 1971, contained the following communication:

... «Советская сторона может принять к сведению заявление правительства ФРГ о распространении действия указанных Протоколов на Берлин (Западный) при том понимании, что это распространение производится в соответствии с Четырехсторонним соглашением от 3 сентября 1971 года и при соблюдении установленных процедур.»

[Translation]

... "The Soviet side may take note of the statement made by the Government of the FRG on extending the aforementioned Protocols to Berlin (West) on the understanding that such extension is carried out in accordance with the Quadripartite Agreement of September 3, 1971 and in compliance with established procedures."

UNITED KINGDOM

On signing the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of the United Kingdom made the following statement:

... "in connection with the Protocol for the further extension of the Wheat Trade Convention, 1971, 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 1978 relating to the European Economic Community."

On depositing its ratification of the Protocol, the Government of the United Kingdom made the following declarations:

... "the Government of the United Kingdom reaffirms its rejection of the declaration concerning the European Economic Community made by the Union of Soviet Socialist Republics upon signature of the Protocol for the further Extension of the Wheat Trade Convention, 1971 and in its instrument of acceptance deposited on 9 June 1978. Further, the Government of the United Kingdom does not accept the similar declaration made by the Republic of Cuba in its instrument of accession deposited on 15 September 1978."

On signing the Protocols for the Fourth Extension of the Wheat Trade Convention and the Food Aid Convention, the Government of the United Kingdom made the following declarations:

"... that Her Majesty's Government will provisionally apply the Protocols from their entry into force.

"... that the rights and obligations of the Government of the United Kingdom of Great Britain and Northern Ireland under the Protocols shall not apply in respect of any of the territories for the international relations of which the Government of the United Kingdom are responsible, except in the case of the Wheat Trade Convention the following: Dominica, Saint Christopher, Nevis and Anguilla, Saint Vincent, Belize, Bermuda, British Virgin Islands, Gibraltar, Gilbert Islands, Hong Kong, Montserrat, Saint Helena and dependencies, and Tuvalu".

1978 PROTOCOL FOR THE FOURTH EXTENSION OF THE FOOD AID CONVENTION, 1971

The parties to this Protocol,

Considering that the Food Aid Convention, 1971⁽¹⁾ (hereinafter referred to as "the Convention") of the International Wheat Agreement, 1971⁽²⁾, which was further extended by Protocol in 1976⁽³⁾, expires on 30 June 1978,

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 1979 provided that, if a new agreement covering food aid enters into force before 30 June 1979 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 1978.

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 26 April 1978 until and including 17 May 1978 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 1978 Protocol for the fourth 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 1978 Protocol for the fourth 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 23 June 1978, 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 1978 Protocol for the fourth 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 23 June 1978, 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 1978 Protocol for the fourth 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 1978 Protocol for the fourth 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 1978 Protocol for the fourth 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 24 June 1978 with respect to all provisions other than Article II of the Convention and Article III of the Protocol, and

(b) on 1 July 1978 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 23 June 1978 and that the 1978 Protocol for the fourth 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 24 June 1978 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 1978 Protocol for the fourth 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⁽⁴⁾. Any amendments to this Protocol shall likewise be communicated.

ARTICLE XII

Relationship of Preamble to Protocol

This Protocol includes the Preamble to the 1978 Protocols for the fourth 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⁽¹⁵⁾ 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 FOURTH 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	17 May 1978	26 May 1978		
Australia				13 June 1978
Belgium	17 May 1978	17 May 1978		
Canada	17 May 1978		31 May 1978	
Denmark	17 May 1978		21 June 1978	
19 European Economic Community	17 May 1978	23 June 1978		
Finland	12 May 1978	23 June 1978		
France	17 May 1978	22 June 1978		
Germany, Federal Republic of	17 May 1978	17 May 1978	28 Sept. 1978*	
Ireland, Republic of	17 May 1978	23 June 1978	18 Aug. 1978	
Italy	17 May 1978	17 May 1978		
Japan	16 May 1978*	23 June 1978* ‡	15 Nov. 1978*	
Luxembourg	17 May 1978	17 May 1978	6 March 1979	
Netherlands, Kingdom of	17 May 1978		23 June 1978 (AP)	
Sweden	17 May 1978	22 June 1978	3 July 1978	
Switzerland	15 May 1978	7 June 1978	6 Feb. 1979	
United Kingdom	17 May 1978	17 May 1978	3 May 1979	
United States of America	17 May 1978	20 June 1978 ‡	20 July 1979	

* For statements, declarations and reservations see page 20.

‡ Within the limitation of its internal legislation and budget.

STATEMENTS, DECLARATIONS AND RESERVATIONS

FEDERAL REPUBLIC OF GERMANY

In depositing its instrument of ratification of the Protocol for the Fourth 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 effect from the date on which it has entered into force for the Federal Republic of Germany."

JAPAN

In signing the Protocol for the Fourth Extension of the Food Aid Convention, 1971 of the International Wheat Agreement, 1971, the Government of Japan made the following reservation thereto, which was repeated on deposit of its declarations of provisional application and 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."

UNION OF SOVIET SOCIALIST REPUBLICS

[See communication dated 9 February 1979 on page 12]

UNITED KINGDOM

[See declarations made on signing the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971 on pages 12-13]