ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Extension with amendments of the bilateral agreement between the EEC and Bangladesh

The Textiles Surveillance Body received a notification from the EEC of an extension with modifications of its consultation agreement, initialled with Bangladesh for the period 1 January 1993 to 31 December 1994, with the possibility for a further twelve-month extension.¹

The TSB, pursuant to its procedures regarding notifications made under Article 4,² has examined the relevant documentation and is forwarding the text of the notification to participating countries for their information.³

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¹The bilateral agreement and a previous extension are contained in COM.TEX/SB/1291 and 1701.
²See COM.TEX/SB/35, Annex B.
³For the TSB's observation on this notification, see COM.TEX/SB/1834, paragraphs 12 to 14 and 21.

*English only/Anglais seulement/Inglés solamente

93-0511
AGREEMENT

IN THE FORM OF EXCHANGE OF LETTERS AMENDING THE AGREEMENT BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND THE PEOPLE'S REPUBLIC OF BANGLADESH ON TRADE IN TEXTILE PRODUCTS

Initialled in Brussels, 17 December 1992
AGREEMENT

In the form of Exchange of Letters amending the Agreement between the European Economic Community and the People's Republic of Bangladesh on trade in textile products

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Letter Number One

Sir,

1. I have the honour to refer to the consultations held on 17 December 1992 between our respective delegations for the purpose of amending the Agreement on trade in textile products between the European Economic Community and the People's Republic of Bangladesh, applied since 1 January 1987, as extended by the Exchange of Letters applied since 1 January 1992 and as further amended by the exchange of letters initialled on 9 October 1992 (hereinafter "the Agreement").

2. As a result of these consultations, both Parties agreed to amend the following provisions of the Agreement:

2.1 The Annex to the Agreement which set out the products concerned by the Agreement is replaced for the period 1 January 1993 to 31 December 1994 by Appendix 1.

2.2 Article 8, paragraph 6 and Protocol C are deleted.

2.3 Paragraph 1, first indent of Article 9 is replaced by the following text:

"Bangladesh undertakes to supply the Community with precise statistical information on all export licences issued by the Bangladesh authorities for all categories of textile products subject to quantitative limits established under Article 8 or to a double-checking system of surveillance without quantitative limits as well as on all certificates issued by the Bangladesh authorities for all products referred to in Article 5 and subject to the provisions of Protocol B.

2.4 Paragraph 2 of Article 9 is replaced by the following text:

"The information referred to in paragraph 1 shall, for all categories of products, be forwarded before the end of the month following the month to which the statistics relate."

2.5 Paragraphs 1 and 2 of Article 12 are replaced by the following text:

"1. The quantitative limits established under Article 8 on imports into the Community of textile products of Bangladeshi origin will not be broken down by the Community into regional shares."
2. The Parties shall cooperate in order to prevent sudden and prejudicial changes in traditional trade flows resulting in regional concentration of direct imports into the Community.

3. Bangladesh shall monitor its exports of products under restraint or surveillance into the Community. Should a sudden and prejudicial change in traditional trade flows arise, the Community will be entitled to request consultations in order to find a satisfactory solution to those problems. Such consultations must be held within fifteen working days of their being requested by the Community.

4. Bangladesh shall endeavour to ensure that exports of textile products subject to quantitative limits into the Community are spaced out as evenly as possible over the year due account being taken in particular of seasonal factors."

2.6 Article 14 and all references to this Article in the Agreement are deleted.

2.7 The following phrase is added at the beginning of paragraph 1 of Article 16.

"1. Save where it is otherwise provided for in this Agreement, ..."

2.8 The second sentence of Article 18, paragraph 1, is replaced by the following text:

"It shall be applicable until 31 December 1994. Thereafter, the application of all the provisions of this Agreement shall be extended automatically for a period of one more year up to 31 December 1995, unless either Party notifies the other at least six months before 31 December 1994 that it does not agree with this extension. However, if the Agreement on trade in textiles and clothing products resulting from the Uruguay Round GATT trade negotiations is concluded and enters into force at an earlier date, this Agreement shall be automatically terminated as of the date agreed for the implementation of the results of the Uruguay Round GATT trade negotiations."

2.9 The first sentence of paragraph 1 of Article 7 of Protocol A is replaced by the following text:

"1. The export licence for categories of products made subject to quantitative limits under Article 8 as well as for categories subject to a double-checking system of surveillance without quantitative limits shall conform to the model annexed to this Protocol and it shall be valid for exports throughout the customs territory to which the Treaty establishing the European Economic Community is applied. However, where the Community has made recourse to the provisions of Article 8 in accordance with the provisions of the Agreed Minute No. 1, or to the Agreed Minute No. 2, the textile products covered by the export licences can only be put into free circulation in the region(s) of the Community indicated in those licences."
2.10 The second indent of Article 12, paragraph 1, of Protocol A to the Agreement is replaced by the following text:

"The import authorisations shall be valid for six months from the date of their issue for imports throughout the customs territory to which the Treaty establishing the European Economic Community is applied. However, where the Community has recourse to the provisions of Article 8 in accordance with the provisions of the Agreed Minute No. 1, or to the Agreed Minute No. 2, the products covered by the import licences can only be put into free circulation in the region(s) of the Community indicated in those licences."

2.11 The second and fifth indents of Article 14, paragraph 2, of Protocol A are replaced by the following text:

" - two letters identifying the intended Member State of customs clearance as follows: ...
BL = Benelux
DE = Germany
DK = Denmark
EL = Greece
ES = Spain
FR = France
GB = United Kingdom
IE = Ireland
IT = Italy
PT = Portugal"

" - five-digit number running consecutively from 00001 to 99999 allocated to the intended Member State of customs clearance".

2.12 The export licence form for categories subject to a double-checking system of surveillance bearing the indication "non-restrained textile category" set out in Appendix 2 to this letter shall be added to Protocol A of the Agreement.

2.13 Agreed Minute No. 1 set out in Appendix 3 to this letter shall form an integral part of the Agreement.

2.14 Agreed Minute No. 2 set out in Appendix 4 to this letter shall form an integral part of the Agreement.

2.15 Agreed Minute No. 3 set out in Appendix No. 5 to this letter shall form an integral part of the Agreement.

3. The Parties agreed that this Agreement in the form of Exchange of Letters shall enter into force on the first day of the month following the day on which the Parties have notified each other that the legal procedures necessary to this end have been completed.
The Parties also agreed that this Agreement in the form of Exchange of Letters and the amendments hereby to the Agreement of 1987, as extended, shall be applied provisionally from 1 January 1993.

4. I should be obliged if you kindly confirm the acceptance of your Government of the foregoing.

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

For the Council
of the European Communities
Appendix 1

ANNEX 1

1. When the constitutive material of the products of Categories 1 to 114 is not specifically mentioned, these products are to be taken to be made exclusively of wool or of fine hair, of cotton or of man-made fibres.

2. Garments which are not recognizable as being garments for men or boys or as being garments for women or girls are classified with the latter.

3. Where the expression "babies' garments" is used, this is meant also to cover girls' garments up to and including commercial size 86.

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- Category 21: Excl. cotton, wool.
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<td>Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, less than 3 m. wide</td>
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<td>6305 31 99</td>
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<td>Sacks and bags of a kind used for the packing of goods, not knitted or crocheted, obtained from strip or the like</td>
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<td>Woven fabrics of synthetic fibres (continuous), other than those for tyres of Category 114</td>
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<td>Woven curtains (including drapes),</td>
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<td>interior blinds, curtain and bed</td>
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<td>valences and other furnishing articles, other than knitted or crocheted, of wool, of cotton or of man-made fibres.</td>
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<td>Yarn of continuous man-made fibres, not put up for retail sale:</td>
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<td>Yarn of man-made filament, yarn of staple artificial fibres, cotton yarn, put up for retail sale</td>
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<td>Yarn of carded sheep's or lambs' wool (woollen yarn) or of carded fine animal hair, not put up for retail sale</td>
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| 60  | 5805 00 00 | Tapestries, hand-made, of the type Gobelins, Flanders, Amubusson, Beauvais and the like, and needleworked tapestries (for example, petit point and cross stitch) made in panels and the like by hand |

<p>| 61  | ex 5806 10 00 | Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than labels and similar articles of Category 62 |
|     | 5806 20 00 |
|     | 5806 31 10 |
|     | 5806 31 90 |
|     | 5806 32 10 |
|     | 5806 32 90 |
|     | 5806 39 00 |
|     | 5806 40 00 |
|     | Elastic fabrics and trimmings (not knitted or crocheted), made from textile materials assembled from rubber thread |</p>
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<td>Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn and gimped horsehair yarn):</td>
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<td>Tulle and other net fabrics but not including woven, knitted or crocheted fabrics, hand or mechanically-made</td>
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<td>lace, in the piece, in strips or in motifs</td>
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<td>Labels, badges and the like of textile materials, not embroidered, in the piece, in strips or cut to shape or size, woven</td>
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<td>Braids and ornamental trimmings in the piece; tassels pompoms and the like</td>
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<td>5808</td>
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<td>Embroidery, in the piece, in strips or in motifs</td>
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<td>Knitted or crocheted fabric of synthetic fibres containing by weight 5% or more of elastomeric yarn and knitted or crocheted fabric containing by weight 5% or more of rubber thread</td>
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<td>Raschel lace and long-pile fabric of synthetic fibres</td>
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<td>Knitted or crocheted fabric other than those of Categories 38A and 63, of wool, of cotton or of man-made fibres</td>
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<td>Travelling rugs and blankets, other than knitted or crocheted, of wool, of cotton or of man-made fibres</td>
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<td>Gloves, mittens and mitts, knitted or crocheted</td>
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<td>Knitted or crocheted clothing accessories other than for babies: household linen of all kinds, knitted or crocheted: curtains (including drapes) and interior blinds, curtain or bed valances and other furnishing articles knitted or crocheted, knitted or crocheted blankets and travelling-rugs, other knitted or crocheted articles including parts of garments or of clothing accessories</td>
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<td>6108 11 90</td>
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<td>Panty-hose and tights of synthetic fibres. measuring per single yarn</td>
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<td>Women's full-length hosiery of synthetic fibres</td>
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<td>Swimwear, of wool, of cotton or man-made fibres</td>
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<td>Shawls, scarves, mufflers, mantillas, veils and the like other than</td>
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<td>6212 90 00</td>
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<td>Stockings, socks and sockettes, not knitted or crocheted</td>
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<td>Felt and articles thereof, whether or not impregnated or coated, other than floor coverings</td>
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<td>Tarpaulins, sails, awnings and sunblinds</td>
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<td>Woven pneumatic mattresses</td>
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<td>Camping goods, woven, other than pneumatic mattresses and tents</td>
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<td>Other made-up textile articles, woven, excluding those of Categories 113 and 114</td>
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### Appendix 2

**ANNEX TO PROTOCOL A**

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<td>3</td>
<td>Exporter name and address (country)</td>
</tr>
<tr>
<td>4</td>
<td>Category number</td>
</tr>
<tr>
<td>5</td>
<td>Category name (textile products)</td>
</tr>
<tr>
<td>6</td>
<td>Place and date of shipment</td>
</tr>
<tr>
<td>7</td>
<td>Country of origin</td>
</tr>
<tr>
<td>8</td>
<td>Country of destination</td>
</tr>
<tr>
<td>9</td>
<td>Supplementary details</td>
</tr>
<tr>
<td>10</td>
<td>Marks and numbers</td>
</tr>
<tr>
<td>11</td>
<td>Quantity (1)</td>
</tr>
<tr>
<td>12</td>
<td>Value (2)</td>
</tr>
</tbody>
</table>

**Licence d'Exportation (Textile Products)**

- **Category of textile products**
- **Country of origin**
- **Country of destination**
- **Marks and numbers**
- **Quantity**
- **Value**

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13 **Importing Authority**: AVEA de l'Autorité Comptent

14 **Marking Authority**: AVEA de l'Autorité Comptent
Appendix 3

AGREED MINUTE NO. 1

In the context of the Agreement between the European Economic Community and the People's Republic of Bangladesh on trade in textile and clothing products, initialled on 17 December 1992, the Parties agreed that Article 8 of the Agreement does not preclude the Community, if the conditions are fulfilled, from applying the safeguard measures for one or more of its regions in conformity with the principles of the internal market.

In such an event, Bangladesh shall be informed in advance and the relevant provisions of Protocol A of this Agreement shall be applied, as appropriate.

For the Government of the People's Republic of Bangladesh

For the Council of the European Economic Community
AGREED MINUTE NO. 2

Notwithstanding Article 12 paragraph 1 of this Agreement, for imperative technical or administrative reasons or to find a solution to economic problems resulting from regional concentration of imports, or in order to combat circumvention and fraud of the provisions of this Agreement, the Community will establish for a limited period of time a specific management system in conformity with the principles of the Internal Market.

However, if the parties are unable to reach a satisfactory solution during the consultations provided for in Article 12 paragraph 3, Bangladesh undertakes, if so requested by the Community, to respect temporary export limits for one or more regions of the Community. In such case, these limits shall not preclude the importation into the region(s) concerned of products which were shipped from Bangladesh on the basis of export licences obtained before the date of formal notification to Bangladesh by the Community about the introduction of the above limits.

The Community shall inform Bangladesh of the technical and administrative measures, such as defined in the attached Note Verbale, that need to be introduced by both Parties in order to implement the above paragraphs in conformity with the principles of the Internal Market.

For the Government of the People's Republic of Bangladesh

For the Council of the European Economic Community
Appendix 5

AGREED MINUTE NO. 3

In the context of the Agreement between the European Economic Community and the People's Republic of Bangladesh on trade in textile and clothing products, applied since 1 January 1987, as extended by the Exchange of Letters initialled on 15 December 1991 and further extended by the Exchange of Letters initialled on 17 December 1992, Bangladesh agreed that, from the date of request for and pending the consultations referred to in Article 12 paragraph 3, it shall cooperate by not issuing export licences that would further aggravate the problems resulting from the regional concentration of direct imports into the Community.

For the Government of the People's Republic of Bangladesh

For the Council of the European Economic Community