ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Additional Protocol to the Agreement between the EEC and Guatemala¹

The TSB has received from the European Community a notification of an additional protocol to the Article 4 agreement between the EEC and Guatemala. This protocol, which has been initialled consequent to the accession of Greece to the Community, came into de facto application on 1 January 1981.

The TSB, pursuant to its procedure regarding bilateral agreements notified under Article 4, has examined the relevant documentation and is circulating the text of this agreement to participating countries for their information.²

¹This notification has been supplied in English only. A French translation will be circulated as soon as possible.
²For original agreement, see COM.TEX/SB/448.
³The observations by the TSB on the additional protocols notified by the EEC are contained in COM.TEX/SB/664.
THE COUNCIL OF THE EUROPEAN COMMUNITIES

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF GUATEMALA

of the other part,

CONSIDERING the accession of the Hellenic Republic to
the European Communities on 1 January 1981

HAVING REGARD to the Agreement between the European Economic Community
and the Republic of Guatemala signed on 7 November 1979 and hereafter
called the "Agreement",

HAVE DECIDED to determine by common accord the adjustments and
transitional measures to the Agreement consequent on the accession
of the Hellenic Republic to the European Economic Community

and TO CONCLUDE THIS PROTOCOL :
Article 1

The text of the Agreement as hereby amended, including its annex and protocols forming an integral part thereof, shall be drawn up in Greek and that text shall be authentic in the same way as the original texts.

Article 2

The Agreement shall be amended as follows:

1. Protocol B paragraph 2 shall be replaced by the following:

'Where the Community finds, under the system of administrative control set up, that the level of imports of products in any category listed in the Annex originating in Guatemala exceeds, in relation to 102% of the preceding year's total imports into the territories within which the Treaty establishing the European Economic Community applied at 31 December 1980 of products in that category, the following percentages:

- for categories of products in Group I, 0.2%
- for categories of products in Group II, 1.5%
- for categories of products in Group III, IV or V, 4%

it may request the opening of consultations in accordance with the procedure described in Article 5 of the Agreement, with a view to reaching agreement on a suitable level of limitation for the products in that category.'
2. Protocol B, paragraph 6 to the Agreement shall be replaced by the following:

"Quantitative limits on a regional basis may be introduced only where imports of a given product into any region of the Community exceed, in relation to the amounts calculated by the fraction 100/102 (one hundred divided by one hundred and two) of the amounts determined in accordance with paragraph 2, the following regional percentages:

- Germany: 28.5%
- Benelux: 10.5%
- France: 18.5%
- Italy: 15%
- Denmark: 3%
- Ireland: 1%
- U.K.: 23.5%
- Greece: 2%

3. For the purpose of calculating 'the preceding year's total imports' referred to in 1. above both of 1980 and 1981, imports from the Hellenic Republic shall be those recorded in 1980."

**Article 3**

This Protocol forms an integral part of the Agreement.
Article 4

This Protocol shall be approved by the contracting Parties in accordance with their own procedures. It shall enter into force on 1st January 1981, provided that the contracting Parties have notified each other before that date that the procedures necessary to this end have been completed. After this date the Protocol shall enter into force on the first day of the second month following such notification.

Article 5

This Protocol is drawn up in duplicate, in the Danish, Dutch, English, French, German, Greek, Italian and Spanish languages, each of those texts being equally authentic.
EXCHANGE OF NOTES

The Mission of the Republic of Guatemala to the European Communities presents its compliments to the Directorate-General for External Relations of the Commission of the European Communities and has the honour to refer to the Agreement in textile products negotiated between the Republic of Guatemala and the Community signed on 7 November 1979, and to the Additional Protocol to the Agreement consequent on the accession of the Hellenic Republic to the Community initialled on 17 December 1980.

The Mission of the Republic of Guatemala wishes to inform the Directorate-General that whilst awaiting the completion of the necessary procedures for the conclusion and the coming into force of the Additional Protocol, the Government of the Republic of Guatemala is prepared to allow the provisions of the Additional Protocol to apply de facto from 1st January 1981 if the Community is disposed to do likewise.

The Mission of the Republic of Guatemala would like also to propose that the present note and the Community’s note in reply shall constitute an Agreement between the Government of the Republic of Guatemala and the Community.

The Mission of the Republic of Guatemala avails itself of this opportunity to renew to the Directorate-General for External Relations the assurance of its highest consideration.
The Directorate-General for External Relations of the Commission presents its compliments to the Mission of the Republic of Guatemala to the European Communities and has the honour to refer to the Mission’s note of today reading as follows:

"The Mission of the Republic of Guatemala to the European Communities presents its compliments to the Directorate-General for External Relations of the Commission of the European Communities and has the honour to refer to the Agreement in textile products negotiated between the Republic of Guatemala and the Community signed on 7 November 1979, and to the Additional Protocol to the Agreement consequent on the accession of the Hellenic Republic to the Community initialled on 17 December 1980.

The Mission of the Republic of Guatemala wishes to inform the Directorate-General that whilst awaiting the completion of the necessary procedures for the conclusion and the coming into force of the Additional Protocol, the Government of the Republic of Guatemala is prepared to allow the provisions of the Additional Protocol to apply de facto from 1st January 1981 if the Community is disposed to do likewise.

The Mission of the Republic of Guatemala would like also to propose that the present note and the Community’s note in reply shall constitute an Agreement between the Government of the Republic of Guatemala and the Community.

The Mission of the Republic of Guatemala avails itself of this opportunity to renew to the Directorate-General for External Relations the assurance of its highest consideration."

The Directorate of External Relations has the honour to confirm to the Mission of the Republic of Guatemala that it is agreed on the content of the foregoing note and considers therefore that the exchange of notes constitutes an agreement between the Government of the Republic of Guatemala and the Community.

The Directorate-General for External Relations avails itself of this opportunity to renew to the Mission of the Republic of Guatemala to the European Communities the assurance of its highest consideration.