ACCESSION OF SPAIN AND PORTUGAL TO THE EUROPEAN COMMUNITY

Communication from the Community

The following communication, dated 20 June 1986, has been received for distribution to contracting parties.

The Community has taken note of the communication in document L/5997, dated 26 May 1986, in which the United States invokes the provisions of paragraph 3 of Article XXVIII and notifies its intention to suspend certain concessions in Schedule XX.

While reserving its position as to the substance of the subject mentioned by the United States, the Community considers that in any case the provisions in question are not applicable in a situation in which the negotiations provided for by Article XXIV:6 have hardly started.

By its notifications, of 10 January 1986 (L/5936/Add.1) and 14 February 1986 (L/5936/Add.2) respectively, the European Economic Community intended to make possible the initiation of the operations provided by Article XXIV:5 and of the negotiations provided by Article XXIV:6, by submitting its initial offer of negotiations, the tariff of the Community of 12, which is currently suspended.

It will be noted that neither the Community nor any of its partners have as yet transmitted to the other contracting parties the report provided for by the procedures of 10 November 1980 (BISD 27S/26).

In order to prevent any misunderstanding, the European Economic Community wishes to make it clear that the two above-mentioned notifications do not constitute a declaration of finalization of negotiations and that consequently, in its view, the six-months period provided for in paragraph 3 of Article XXVIII has not started.

For the EEC, in the present negotiations under Article XXIV:6 as also in the earlier negotiations of 1962 and 1974, it is clear that the negotiating rights of third parties are safeguarded, in their entirety, until the expiry of a period of six months beginning on the day on which the Community states that it considers the negotiations terminated.