ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Articles 7 and 8

Bilateral agreement between the EEC and Guatemala

Note by the Chairman

Attached is a notification received from the EEC of a bilateral consultation agreement concluded with Guatemala for the period 1 January 1987 to 31 December 1991. At the time of notification Guatemala had not signed the 1986 Protocol.

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1 The previous bilateral agreement and an additional protocol to it are contained in COM.TEX/SB/919 and 1217.

* English only/Anglais seulement/Inglés solamente

88-0170
Pursuant to Articles 7 and 8 of the Arrangement as extended by the 1986 Protocol, I am notifying a new Agreement negotiated between the Republic of Guatemala and the European Community.

No quantitative limits were established and the Agreement takes the form of an exchange of letters providing for the possibility, after consultations, of reverting to an Agreement containing provisions similar to those agreed by the Community with other textile exporting countries. The Agreement came into de facto application on 1 January 1987 with a duration of five years. It is applicable in respect of all MFA products, classified in 3 groups now covering 93 product categories.

This notification is made for information, inasmuch as Guatemala is a non-participant of the MFA.

Copy of the Agreement and related documents are attached.

Please accept, Mr Ambassador, the assurance of my highest consideration.

Yours sincerely,

P. MAZZOCCHI
AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND THE REPUBLIC OF GUATEMALA ON TRADE IN TEXTILE PRODUCTS

Caracas e Bruxelas, 24 de Abril 1976

[Signatures]
Sir,

On the conclusion of the negotiations between the European Economic Community and the Government of the Republic of Guatemala on trade in textile products, the following was agreed.

1. **Scope of the Agreement**

   This agreement concerns textile products covered by the provisions of the Arrangement regarding international trade in textiles originating in Guatemala and listed in Annex I.

2. **Opening of consultations**

   At the request of one of the two Parties, consultations shall be opened in a spirit of cooperation on any problem resulting from the application of this Agreement.

   If, in the Community's view, exports of textile products covered by this Agreement and originating in Guatemala cause or threaten to cause market disruption in the Community or in one of its regions, the Republic of Guatemala shall undertake, at the request of the Community, to enter into consultations under the provisions of the Arrangement regarding international trade in textiles, within a maximum period of one month from the notification of the request, with a view to finding an appropriate solution and, possibly, to replacing this Agreement in the form of an exchange of letters by an Agreement containing provisions similar to those agreed by the Community with other textile-exporting countries whose level of trade in the products concerned is comparable to that of Guatemala.

3. **Classification of textile products**

   The classification of the textile products covered by this Agreement is based on the Nomenclature of the Common Customs Tariff and on the Nomenclature of Goods for the External Trade Statistics of the Community and statistics of Trade between Member States (NIMEXE).

   From the entry into force of the International Convention on the Harmonized Commodity Description and Coding System (HS), this classification will be based on the Harmonized System and on the Community nomenclatures derived from that system.

4. **Exchange of statistical information**

   The Community and the Republic of Guatemala undertake to exchange available statistical information on all the Community's imports and all Guatemala's exports of textile products listed in Annex I, broken down by category of product.

5. **Rules concerning the origin of products**

   The origin of the products covered by this Agreement shall be determined in accordance with the rules in force in the Community.

   Products originating in Guatemala shall be imported into the Community upon presentation of a certificate of origin conforming to the model annexed to this Protocol (Annex II).
The certificate of origin shall be issued by the competent government authorities of the Republic of Guatemala if the products in question can be considered to be products originating in Guatemala within the meaning of the relevant rules in force in the Community.

However, the products in Group III may be imported into the Community merely on production of a declaration by the exporter on the invoice or other commercial document relating to the products to the effect that the products in question originate in Guatemala within the meaning of the relevant rules in force in the Community.

The certificate of origin referred to in the second paragraph shall not be required for import of goods covered by a certificate of origin Form A or Form APR completed in accordance with the relevant Community rules in order to qualify for generalized tariff preferences.

6. **Administrative cooperation**

The Community and the Republic of Guatemala undertake to cooperate closely in order to prevent deflections of trade liable to affect trade in textile products. The Community and the Republic of Guatemala shall accordingly assist each other in verifying the authenticity and validity of the evidence of origin stipulated under this Agreement.

The results of the investigations to be carried out in this connection, notably at the request of the Community, shall be sent promptly to the Community, together with copies of relevant documentation. By mutual agreement between the Community and the Republic of Guatemala, officials designated by the Community may participate in such investigations.

The Republic of Guatemala undertakes to send to the Commission of the European Communities the names and addresses of the government authorities competent for the issue and verification of certificates of origin and responsible for the implementation of administrative cooperation.

7. **Territorial application of the Agreement**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty, and, on the other hand, to the territory of the Republic of Guatemala.

8. **Duration**

This Agreement shall apply from 1 January 1987 to 31 December 1991.

I have the honour to propose that if the above is acceptable to your Government, this letter and your confirmation shall together constitute an Agreement between the European Economic Community and the Republic of Guatemala.

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

On behalf of the Council of the European Communities
Letter No.2

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

"On the conclusion of the negotiations between the European Economic Community and the Government of the Republic of Guatemala on trade in textile products, the following was agreed.

1. **Scope of the Agreement**

   This Agreement concerns textile products covered by the provisions of the Arrangement regarding international trade in textiles originating in Guatemala and listed in Annex I.

2. **Opening of consultations**

   At the request of one of the two Parties, consultations shall be opened in a spirit of cooperation on any problem resulting from the application of this Agreement.

   If, in the Community's view, exports of textile products covered by this Agreement and originating in Guatemala cause or threaten to cause market disruption in the Community or in one of its regions, the Republic of Guatemala shall undertake, at the request of the Community, to enter into consultations under the provisions of the Arrangement regarding international trade in textiles, within a maximum period of one month from the notification of the request, with a view to finding an appropriate solution and, possibly, to replacing this Agreement in the form of an exchange of letters by an Agreement containing provisions similar to those agreed by the Community with other textile-exporting countries whose level of trade in the products concerned is comparable to that of Guatemala.

3. **Classification of textile products**

   The classification of the textile products covered by this Agreement is based on the Nomenclature of the Common Customs Tariff and on the Nomenclature of Goods for the External Trade Statistics of the Community and Statistics of Trade between Member States (NIMEXE).

   From the entry into force of the International Convention on the Harmonized Commodity Description and Coding System (HS), this classification will be based on the Harmonized System and on the Community nomenclatures derived from that system.

4. **Exchange of statistical information**

   The Community and the Republic of Guatemala undertake to exchange available statistical information on all the Community's imports and all Guatemala's exports of textile products listed in Annex I, broken down by category of product.

5. **Rules concerning the origin of products**

   The origin of the products covered by this Agreement shall be determined in accordance with the rules in force in the Community.
Products originating in Guatemala shall be imported into the Community upon presentation of a certificate of origin conforming to the model annexed to this Protocol (Annex II).

The certificate of origin shall be issued by the competent government authorities of the Republic of Guatemala if the products in question can be considered to be products originating in Guatemala within the meaning of the relevant rules in force in the Community.

However, the products in Group III may be imported into the Community merely on production of a declaration by the exporter on the invoice or other commercial document relating to the products to the effect that the products in question originate in Guatemala within the meaning of the relevant rules in force in the Community.

The certificate of origin referred to in the second paragraph shall not be required for import of goods covered by a certificate of origin Form A or Form APR completed in accordance with the relevant Community rules in order to qualify for generalized tariff preferences.

6. Administrative cooperation

The Community and the Republic of Guatemala undertake to cooperate closely in order to prevent deflections of trade liable to affect trade in textile products. The Community and the Republic of Guatemala shall accordingly assist each other in verifying the authenticity and validity of the evidence of origin stipulated under this Agreement.

The results of the investigations to be carried out in this connection, notably at the request of the Community, shall be sent promptly to the Community, together with copies of relevant documentation. By mutual agreement between the Community and the Republic of Guatemala, officials designated by the Community may participate in such investigations.

The Republic of Guatemala undertakes to send to the Commission of the European Communities the names and addresses of the government authorities competent for the issue and verification of certificates of origin and responsible for the implementation of administrative cooperation.

7. Territorial application of the Agreement

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty, and, on the other hand, to the territory of the Republic of Guatemala.
8. **Duration**

This Agreement shall apply from 1 January 1987 to 31 December 1991.

I have the honour to propose that if the above is acceptable to your Government, this letter and your confirmation shall together constitute an Agreement between the European Economic Community and the Republic of Guatemala.

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

On behalf of the Council of the European Communities

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I have the honour to confirm that the above is acceptable to my Government and that your letter together with this letter shall constitute an Agreement in accordance with your proposal.

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

For the Government of the Republic of Guatemala
<table>
<thead>
<tr>
<th>Annex 11</th>
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<tbody>
<tr>
<td><strong>1</strong> Exporter (name, full address, country)</td>
<td><strong>2</strong> No.</td>
</tr>
<tr>
<td><strong>3</strong> Quota year</td>
<td><strong>4</strong> Category number</td>
</tr>
<tr>
<td><strong>5</strong> Consignee (name, full address, country)</td>
<td><strong>6</strong> Country of origin</td>
</tr>
<tr>
<td><strong>7</strong> Country of destination</td>
<td><strong>8</strong> Place and date of shipment - Means of transport</td>
</tr>
<tr>
<td><strong>9</strong> Supplementary details</td>
<td><strong>10</strong> Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS</td>
</tr>
<tr>
<td><strong>11</strong> Quantity (')</td>
<td><strong>12</strong> FOB value (')</td>
</tr>
<tr>
<td><strong>13</strong> CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITÉ COMPÉTENTE</td>
<td><strong>14</strong> Competent authority (name, full address, country)</td>
</tr>
</tbody>
</table>

| **CERTIFICATE OF ORIGIN** | **CERTIFICAT D'ORIGINE** |
| texts: | texts: |
| (Textile products) | (Produits textiles) |

| **6** Place and date of shipment - Means of transport | **7** Country of destination |
| **8** Lieu et date d'embarquement - Moyen de transport | **9** Pays de destination |

**10** Marques et numeros - Nombre et nature des colis - DÉSIGNATION DES MARCHANDISES

**11** QUANTITÉ (')

**12** VLEUR TOT (')

**13** Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans la Communauté économique européenne.

**14** Signature(s)  |  Stampo - cachet