

GENERAL AGREEMENT ON

CONFIDENTIAL

TARIFFS AND TRADE

TEX.SB/1428*

5 February 1988

Textiles Surveillance Body

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 1991.¹ At the time of notification Guatemala had not signed the 1986 Protocol.

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

* English only/Anglais seulement/Inglés solamente

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COMMISSION
OF THE
EUROPEAN COMMUNITIES

DIRECTORATE-GENERAL
FOR EXTERNAL RELATIONS

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ANSWERED	DOC. ISSUED	FOLIO
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For	Dir	Comment
DIRECTOR GENERAL		
Info. Service		
OFFICE LEGAL AFF.		
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For	Action	Comm.
OPER. DEPT. A		
NTM & Surv. Div.		
Development Div.		
Trade & Fin. Div.		
Tech. Coop. Div.		
Spec. Proj. Div.		
GNS Div.		
OPER. DEPT. B		
Econ. R/Anal. Unit.		
Agriculture Div.		
Tech. Div.		
Tech. Econ. T. Div.		
Ext. Rel. Div.		
Training Div.		
Coord. / Admin.		
Trade & Fin. Div.		
Commerce Div.		

Ambassador M. RAFFAELLI
Chairman
Textiles Surveillance Body, GATT
Centre William Rappard
Rue de Lausanne, 154

CH - 1211 GENEVA 21

Mr Ambassador,

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

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

Caraphi à Bruxelles, le 4 Avril 1986

Alf *Sonia González*

Letter No.1

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

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

Annexe II

1 Exporter (name, full address, country) Exportateur (nom, adresse complete, pays)	ORIGINAL		2 No
	3 Quota year Année contingentaire		4 Category number Numero de categorie
5 Consignee (name, full address, country) Destinataire (nom, adresse complete, pays)	<p align="center">CERTIFICATE OF ORIGIN (Textile products)</p> <hr/> <p align="center">CERTIFICAT D'ORIGINE (Produits textiles)</p>		
	6 Country of origin Pays d'origine	7 Country of destination Pays de destination	
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	9 Supplementary details Données supplémentaires		
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numeros - Nombre et nature des colis - DÉSIGNATION DES MARCHANDISES		11 Quantity (*) Quantité (*)	12 FOB value (*) Valeur fob (*)
<p>13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITÉ COMPÉTENTE</p> <p>I, the undersigned, certify that the goods described above originated in the country shown in box 6, in accordance with the provisions in force in the European Economic Community</p> <p>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.</p>			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complete, pays)	<p>At - A , on - le</p> <p align="right">(Signature) (Stamp - Cachet)</p>		

(*) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight - Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net

(*) In the currency of the sale contract - Dans la monnaie du contrat de vente