

GENERAL AGREEMENT ON

CONFIDENTIAL

TEX.SB/1974^{*}

16 February 1993

TARIFFS AND TRADE

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

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

Note by the Chairman

Attached is a notification received 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

¹The bilateral agreement and a previous extension are contained in COM.TEX/SB/1291 and 1701.

^{*}English only/Anglais seulement/Inglés solamente



COMMISSION
OF THE EUROPEAN
COMMUNITIES

DIRECTORATE-GENERAL
EXTERNAL RELATIONS

08.02.93

001995

Brussels,
DP/jm

1227

Dear Ambassador,

In accordance with Article 4.4 of the Arrangement, I am pleased to enclose a copy of the Agreement in the form of an exchange of letters amending the agreement between the European Economic Community and Bangladesh on trade in textiles products.

This Agreement extends the duration of the Agreement applied since 1 January 1987 for a further period of two years until 31 December 1994 with a possibility of tacit renewal for a further year if necessary. The Agreement will be terminated automatically if the Uruguay Round textiles agreement is concluded and implemented at an earlier date.

The Community currently does not impose any quantitative limits on imports of textiles and clothing from Bangladesh.

The terms of the bilateral Agreement are unchanged except for the following:

- as a result of the completion of the internal market of the EEC on 1 January 1993, if in the future, quantitative limits were to be introduced, they would be established at the Community level without any breakdown into regional shares.
- the list of product categories covered by the Agreement (Annex I) has been updated to take into account changes in nomenclature¹⁾;
- a double checking surveillance system has been introduced in order to ensure that only goods originating in Bangladesh benefit from the Agreement.

Yours sincerely,

Dorian F. Prince

Ambassador M. Raffaelli
Chairman
Textiles Surveillance Body
GATT
Centre William Rappard
rue de Lausanne, 154
CH - 1211 GENEVA 21

1) This Annex which is standard for all countries, was forwarded with the EEC-Argentina Agreement.

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 at Brussels, 17 December 1992

For the EC

17th December, 1992

[Signature]

17 Dec 92

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

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 of the Agreement 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.
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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 licences 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 models annexed to this Protocol and they 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 N° 1, or to the Agreed Minute N° 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 N° 1, or to the Agreed Minute N° 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"


" - a 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 N° 1 set out in Appendix 3 to this letter shall form an integral part of the Agreement.

2.14. Agreed Minute N° 2 set out in Appendix 4 to this letter shall form an integral part of the Agreement.

2.15. Agreed Minute N° 3 set out in Appendix 5 to this letter shall form an integral part of the Agreement.



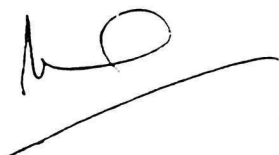
3. The Parties agreed that this Agreement in the form of Exchange of Letters shall enter into force on the first day of the month following the day on which the Parties have notified each other that the legal procedures necessary to this end have been completed.

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

A handwritten signature in black ink, consisting of a stylized 'M' followed by a circle and a long horizontal line extending to the right.A handwritten number '2' in black ink, with a small 'h' or similar mark below it.

ANNEX TO PROTOCOL A

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL	2 No BD
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	3 Export year Année d'exportation	4 Category number Numéro de catégorie
	EXPORT LICENCE (Textile products) LICENCE D'EXPORTATION (Produits textiles)	
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	6 Country of origin Pays d'origine	7 Country of destination Pays de destination
	9 Supplementary details Données supplémentaires NON-RESTRAINED TEXTILE CATEGORY CATEGORIE TEXTILE NON LIMITEE	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DESIGNATION DES MARCHANDISES	11 Quantity (1) Quantité (1)	12 FOB Value (2) Valeur FOB (2)
	13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITÉ COM PÉTENTE I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the Agreement on trade in textile products between the European Economic Community and the People's Republic of Bangladesh. Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans l'accord sur le commerce des produits textiles entre la Communauté économique européenne et la République populaire du Bangladesh.	
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At - A _____, on - le _____ (Signature)	

pas le poids net

Ida net (kg) ainsi que la quantité dans l'unité prévue pour la catégorie et celle

Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight - Inc

a the country of the sale contract - Dans le monnaie du contrat de vente

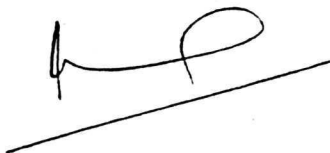
AGREED MINUTE N° 1

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 or surveillance 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 of the relevant provisions of Protocol A of the Agreement to be applied, as appropriate.

For the Government of the
People's Republic of Bangladesh

For the Council of the
European Economic Community



AGREED MINUTE N° 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 a 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



AGREED MINUTE N° 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

