

## DECISIÓN DEL CONSEJO

de 22 de diciembre de 1995

relativa a la aplicación provisional de determinados acuerdos bilaterales entre la Comunidad Europea y determinados países terceros sobre el comercio de productos textiles (Belarús, Hungría, Polonia, Rumanía y Ucrania)

(96/224/CE)

EL CONSEJO DE LA UNIÓN EUROPEA,

DECIDE:

Visto el Tratado constitutivo de la Comunidad Europea y, en particular, su artículo 113 en relación con la primera frase del artículo 228,

Vista la propuesta de la Comisión,

Considerando que la Comisión ha negociado en nombre de la Comunidad acuerdos bilaterales para modificar y, en su caso, renovar los acuerdos y protocolos bilaterales existentes sobre el comercio de productos textiles con determinados países terceros;

Considerando que dichos acuerdos bilaterales deberían aplicarse de forma provisional a partir del 1 de enero de 1996, hasta tanto se completen los procedimientos necesarios para su conclusión, sobre la base de su aplicación provisional recíproca por los países socios,

*Artículo único*

Los acuerdos bilaterales enumerados en el Anexo de la presente Decisión se aplicarán con carácter provisional a partir del 1 de enero de 1996, hasta tanto tenga lugar su celebración formal, sobre la base de su aplicación recíproca por los países socios.

Se adjunta a la presente Decisión el texto de los acuerdos rubricados.

Hecho en Bruselas, el 22 de diciembre de 1995.

*Por el Consejo**El Presidente*

L. ATIENZA SERNA

## ANEXO

## LISTA DE PAÍSES

BELARÚS  
HUNGRÍA  
POLONIA  
RUMANÍA  
UCRANIA

## AGREEMENT

in the form of an Exchange of Letters between the European Community and the Republic of Belarus concerning the renewal of the Agreement between the European Community and the Republic of Belarus on trade in textile products

*Letter from the Council of the European Union*

Sir,

1. I have the honour to refer to the negotiations held on 6 and 7 November 1995 between our respective Delegations with a view to renew the Agreement between the European Community and the Republic of Belarus on trade in textile products initialled on 1 April 1993, as last amended and extended by the Agreement in the form of an Exchange of Letters initialled on 21 December 1994.
2. As a result of these negotiations, both Parties agreed to amend the following provisions of the Agreement:
  - 2.1. Annex II which sets out the quantitative restrictions for exports from the Republic of Belarus to the European Community is replaced for the period 1 January 1996 to 31 December 1999 by Appendix 1 to this letter.
  - 2.2. The Annex to Protocol C which sets out the quantitative restrictions for exports from the Republic of Belarus to the European Community after OPT operations in the Republic of Belarus is replaced for the period 1 January 1996 to 31 December 1999 by Appendix 2 to this letter.
  - 2.3. The second and third sentence of Article 19, paragraph 1, are replaced by the following text:

'It shall be applicable until 31 December 1998. 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 1999, unless either Party notifies the other at least six months before 31 December 1998, that it does not agree with this extension.'
3. Should the Republic of Belarus become a Member to the World Trade Organisation before the date of expiry of the Agreement, the provisions of Articles 2, paragraphs 2 and 3, 3, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, Protocol A, Protocol B, Protocol C, Agreed Minute No 1, Agreed Minute No 2, Agreed Minute No 3, Agreed Minute No 4 and Agreed Minute No 6 shall continue to be applicable as administrative arrangements within the meaning of Article 2, paragraph 17 of the WTO Agreement on Textiles and Clothing.
4. I should be obliged if you could kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this Agreement in the form of an 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. In the meantime, it shall be applied provisionally from 1 January 1996 on the conditions to be specified in an Exchange of Notes (see Appendix 3).

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

*For the Council  
of the European Union*

## Appendix 1

## ANNEX II

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Agreement)

## COMMUNITY QUANTITATIVE LIMITS

Category	Unit	1996	1997	1998	1999
1	tonnes	1 125	1 164	1 205	1 247
2	tonnes	2 820	2 919	3 021	3 127
2a	tonnes	500	518	536	554
3	tonnes	158	164	169	175
4	1 000 pieces	671	701	733	766
5	1 000 pieces	570	596	622	650
6	1 000 pieces	298	311	325	340
7	1 000 pieces	400	418	437	456
8	1 000 pieces	390	408	426	445
9	tonnes	243	254	265	277
20	tonnes	231	239	247	256
22	tonnes	255	269	284	299
23	tonnes	164	172	181	190
39	tonnes	130	137	143	150
12	1 000 pairs	3 800	3 990	4 190	4 399
13	1 000 pieces	1 910	1 967	2 026	2 087
15	1 000 pieces	493	515	538	563
16	1 000 pieces	81	85	89	94
21	1 000 pieces	515	538	562	588
24	1 000 pieces	393	413	433	455
26/27	1 000 pieces	615	643	672	702
29	1 000 pieces	140	146	151	157
73	1 000 pieces	148	155	162	169
83	tonnes	90	93	95	98
33	tonnes	255	266	278	291
36	tonnes	760	802	846	892
37	tonnes	300	315	331	347
50	tonnes	82	86	90	95
67	tonnes	218	229	240	252
74	1 000 pieces	214	223	231	241
90	tonnes	128	134	141	148
115	tonnes	57	60	63	66
117	tonnes	580	609	639	671
118	tonnes	270	284	298	313

## Appendix 2

## ANNEX TO PROTOCOL C

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Agreement)

## OPT QUOTAS

## Community quantitative limits

Category	Unit	1996	1997	1998	1999
4	4 000 pieces	2 615	2 792	2 980	3 181
5	1 000 pieces	3 648	3 894	4 157	4 438
6	1 000 pieces	4 451	4 751	5 072	5 415
7	1 000 pieces	3 302	3 525	3 763	4 017
8	1 000 pieces	1 099	1 173	1 252	1 337
12	1 000 pairs	2 365	2 542	2 733	2 938
13	1 000 pieces	279	292	305	318
15	1 000 pieces	1 908	2 037	2 174	2 321
16	1 000 pieces	453	480	509	540
21	1 000 pieces	1 421	1 517	1 619	1 729
24	1 000 pieces	295	317	341	366
26/27	1 000 pieces	1 537	1 641	1 751	1 870
29	1 000 pieces	752	797	845	896
73	1 000 pieces	2 768	2 955	3 154	3 367
83	tonnes	420	439	459	479
74	1 000 pieces	503	533	565	599

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*Appendix 3***Exchange of Notes**

The Directorate-General I of the Commission of the European Communities presents its compliments to the Mission of the Republic of Belarus to the European Communities and has the honour to refer to the Agreement on Trade in Textile Products between the Republic of Belarus and the European Community initialled on 1 April 1993, as last amended and extended by the Agreement in the form of an Exchange of Letters initialled on 7 November 1995.

The Directorate-General wishes to inform the Mission of the Republic of Belarus that whilst awaiting the completion of the necessary procedures for the conclusion and coming into force of the amended Agreement, the European Community is prepared to allow the provisions of the Agreement to apply *de facto* from 1 January 1995. This is on the understanding that either Party may at any time terminate this *de facto* application of the amended Agreement provided that one hundred and twenty days' notice is given.

The Directorate-General would be grateful if the Mission of the Republic of Belarus would confirm its agreement to the foregoing.

The Directorate-General I of the Commission of the European Communities avails itself of this opportunity to renew to the Mission of the Republic of Belarus to the European Communities the assurance of its highest consideration.

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*Letter from the Government of the Republic of Belarus*

Sir,

I have the honour to acknowledge receipt of your letter of . . . which reads as follows:

'Sir,

1. I have the honour to refer to the negotiations held on 6 and 7 November 1995 between our respective Delegations with a view to renew the Agreement between the European Community and the Republic of Belarus on trade in textile products initialled on 1 April 1993, as last amended and extended by the Agreement in the form of an Exchange of Letters initialled on 21 December 1994.
2. As a result of these negotiations, both Parties agreed to amend the following provisions of the Agreement:
  - 2.1. Annex II which sets out the quantitative restrictions for exports from the Republic of Belarus to the European Community is replaced for the period 1 January 1996 to 31 December 1999 by Appendix 1 to this letter.
  - 2.2. The Annex to Protocol C which sets out the quantitative restrictions for exports from the Republic of Belarus to the European Community after OPT operations in the Republic of Belarus is replaced for the period 1 January 1996 to 31 December 1999 by Appendix 2 to this letter.
  - 2.3. The second and third sentence of Article 19, paragraph 1, are replaced by the following text:

"It shall be applicable until 31 December 1998. 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 1999, unless either Party notifies the other at least six months before 31 December 1998, that it does not agree with this extension."
3. Should the Republic of Belarus become a Member to the World Trade Organisation before the date of expiry of the Agreement, the provisions of Articles 2, paragraphs 2 and 3, 3, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, Protocol A, Protocol B, Protocol C, Agreed Minute No 1, Agreed Minute No 2, Agreed Minute No 3, Agreed Minute No 4 and Agreed Minute No 6 shall continue to be applicable as administrative arrangements within the meaning of Article 2, paragraph 17 of the WTO Agreement on Textiles and Clothing.
4. I should be obliged if you could kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this Agreement in the form of an 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. In the meantime, it shall be applied provisionally from 1 January 1996 on the conditions to be specified in an Exchange of Notes (see Appendix 3).

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

I have the honour to confirm that my Government is in agreement with the contents of your letter.

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

*For the Government  
of the Republic of Belarus*

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83	tonnes	420	439	459	479
74	1 000 pieces	503	533	565	599



*Appendix 3***Exchange of Notes**

The Mission of the Republic of Belarus to the European Communities presents its compliments to the Directorate-General I of the Commission of the European Communities and has the honour to refer to the Note of the Directorate-General of (date of *Note Verbale*) regarding the Agreement on Trade in Textile Products between the Republic of Belarus and the European Community initialled on 1 April 1993, as last amended and extended by the Agreement in the form of an Exchange of Letters initialled on 7 November 1995.

The Mission of the Republic of Belarus wishes to confirm to the Directorate-General that whilst awaiting the completion of the necessary procedures for the conclusion and coming into force of the amended Agreement, the Government of the Republic of Belarus is prepared to allow the provisions of the Agreement to apply *de facto* from 1 January 1996. This is on the understanding that either Party may at any time terminate this *de facto* application of the amended Agreement provided that one hundred and twenty days' notice is given.

The Mission of the Republic of Belarus to the European Communities avails itself of this opportunity to renew to the Directorate-General I of the Commission of the European Communities the assurance of its highest consideration.

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**Record of Negotiations**

Delegations of the European Community and of the Republic of Belarus met in Brussels on 6 and 7 November 1995 to hold negotiations with a view to renew the Agreement between the European Community and the Republic of Belarus on Trade in Textile Products initialled on 1 April 1993, as last amended and extended by an Exchange of Letters on 21 December 1994.

As a result of these negotiations both Parties initialled an Agreement in the form of an Exchange of Letters, a copy of which is annexed to the present Record of Negotiations.

During the negotiations the Delegation of the European Community requested the Delegation of the Republic of Belarus to give assurances that the customs duties presently applicable to imports into the Republic of Belarus of textile and clothing products originating in the European Community would not be increased, and furthermore requested a reduction in customs duties applicable to carpets originating in the European Community. In response the Delegation of the Republic of Belarus issued the statement in Annex 2.

The negotiations took place in a spirit of cooperation and in a friendly atmosphere.

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Brussels, 7 November 1995

*For the Delegation  
of the Republic of Belarus*

*For the Delegation  
of the European Community*

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## STATEMENT

## of the Delegation of the Republic of Belarus addressed to the Delegation of the European Community

Brussels, 7 November 1995

Dear Sirs,

We have the honour to refer to the negotiations held on 6 and 7 November 1995 between the Delegations of the European Community and the Delegation of the Republic of Belarus concerning the renewal of the Agreement between the European Community and the Republic of Belarus on Trade in Textile Products, initialled on 1 April 1993, as last amended and extended by the Agreement in the form of an Exchange of Letters initialled on 21 December 1994.

In connection with these negotiations we would like to make the following statement.

The Republic of Belarus takes progressive steps towards its integration into the world economic community by means of its accession to the international economic organisations, including the World Trade Organisation. To this end the Government of Belarus undertakes practical measures to liberalise the trade regime of the country.

At present there are no quantitative limits, licensing systems or other non-tariff barriers applicable to imports of textile and clothing products originating in the European Community to Belarus, and the existing measures of tariff regulation of these imports correspond to the practice existing in the European Community.

Desiring to further improve cooperation between the Republic of Belarus and the Member States of the European Union we hereby confirm that Belarus will maintain and improve its foreign trade policy, including further reduction of its customs duties applied to the import of textile and clothing products originating in the European Community.

As far as the specific categories of textile products originating in the European Community are concerned, the proposals of the Commission Delegation, put forward during the negotiations, will be submitted to the concerned authorities of the Republic of Belarus for their thorough consideration and adequate measures which would facilitate the development of our further mutually beneficial cooperation.

Yours sincerely,

Alyaksei MAISEICHYKAU  
*Deputy Minister of Foreign Economic  
Relations of the Republic of Belarus,  
Head of the Delegation*

## AGREEMENT

in the form of an Exchange of Letters amending the Additional Protocol to the Europe Agreement on Trade in Textile Products between the European Community and the Republic of Hungary

*Letter from the Council of the European Union*

Sir,

1. I have the honour to refer to the negotiations held on 7—9 November 1995 between our respective Delegations with a view to amending the Additional Protocol on trade in textile products between the European Community and the Republic of Hungary, applied since 1 January 1993, as last amended by the Agreement in the form of an Exchange of Letters initialled on 25 November 1994. These negotiations were held in the context of Article 1, paragraph 3, of the aforesaid Additional Protocol.
2. During these negotiations both Parties noted with satisfaction the way in which the Additional Protocol has, in general, been implemented.
3. In order to foster the development of further mutually beneficial trade flows it was agreed to amend the Additional Protocol as follows:
  - 3.1. Annex II (EU direct quotas) is replaced by Appendix 1 attached.
  - 3.2. Part 1 of Annex III (Hungarian ceilings) is replaced by Appendix 2 attached.
  - 3.3. The Annex to Appendix B concerning outward processing traffic is replaced by Appendix 3 attached (OPT quotas).
4. I should be obliged if you would kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this letter, completed by its Appendices and your written confirmation, will constitute an Agreement in the form of an Exchange of Letters between the Community and the Republic of Hungary. This Agreement shall enter into force on the first day of the month following that in which the European Community and the Republic of Hungary notify each other that they have completed the necessary internal procedures to this effect. In the meantime, the amendments to the Additional Protocol will apply on a provisional basis from 1 January 1996, provided that they are applied on a reciprocal basis.

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

*For the Council  
of the European Union*

## Appendix 1

## ANNEX II

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Protocol)

## Community quantitative limits

(in tonnes or 1 000 pieces)

Category	Unit	1996	1997
2	tonnes	5 402	5 510
2a	tonnes	3 701	3 775
3	tonnes	1 851	1 952
4	pieces	12 252	12 803
5	pieces	6 341	6 627
6	pieces(*)	4 984	5 208
7	pieces	2 898	3 028
8	pieces	3 416	3 519
9	tonnes	1 350	1 417
12	pairs	25 415	26 813
15	pieces	2 488	2 637
16	pieces	1 630	1 728
17	pieces	1 281	1 358
20	tonnes	3 769	3 977
24	pieces(*)	6 031	6 393
117	tonnes	1 145	1 213

(\*) For the purpose of setting off exports against the agreed quantitative limits a conversion rate of 5 garments (other than babies' garments) of a maximum commercial size of 130 cm, for 3 garments whose commercial size exceeds 130 cm may be applied for up to 5% of the quantitative limits. The export licence concerning these products must bear, in box 9, the words 'The commercial rate for garments of a commercial size of not more than 130 cm must be applied'.

## Appendix 2

## ANNEX III

## HUNGARIAN CEILINGS ON COMMUNITY EXPORTS

## PART 1

## Community ceilings within the Hungarian global quota

Amounts are given in millions of US dollars

Sub-Ceiling	1996	1997
Overwear	72,7	80
Haberdashery	11	12,1
Other clothing	46	50,6
Fabrics	37,3	41
Second-hand clothes	20,5	22,6

## Notes

1. In the management of its global quota on consumer goods, Hungary will ensure that preferential treatment is given to textiles and clothing products of Community origin, including as regards classification.

2. The levels of the Community sub-ceilings outlined in this Annex shall be adjusted in case of a significant increase of internal consumption in Hungary, in order to improve the market access conditions for the Community. In particular, the Community share of the sub-ceilings should not be reduced as a result of an overall increase in the total level of the global quota for consumer goods.

The full product descriptions are to be found in Annex III, Part 2 to the Protocol.

## Appendix 3

## ANNEX TO APPENDIX B

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Protocol)

## Outward processing traffic — Community quantitative limits

(in 1 000 pieces)

Category	Unit	1996	1997
4	pieces	21 044	22 464
5	pieces	11 129	11 880
6	pieces	21 511	22 963
7	pieces	17 328	18 498
8	pieces	12 143	12 689
12	pairs	36 140	39 122
15	pieces	17 610	19 195
16	pieces	3 740	4 077
17	pieces	4 194	4 571
24	pieces	10 063	10 969

*Letter from the Council of the Government of the Republic of Hungary*

Sir,

I have the honour to acknowledge receipt of your letter of . . . which reads as follows:

'Sir,

1. I have the honour to refer to the negotiations held on 7—9 November 1995 between our respective Delegations with a view to amending the Additional Protocol on trade in textile products between the European Community and the Republic of Hungary, applied since 1 January 1993, as last amended by the Agreement in the form of an Exchange of Letters initialled on 25 November 1994. These negotiations were held in the context of Article 1, paragraph 3, of the aforesaid Additional Protocol.
2. During these negotiations both Parties noted with satisfaction the way in which the Additional Protocol has, in general, been implemented.
3. In order to foster the development of further mutually beneficial trade flows it was agreed to amend the Additional Protocol as follows:
  - 3.1. Annex II (EU direct quotas) is replaced by Appendix 1 attached.
  - 3.2. Part 1 of Annex III (Hungarian ceilings) is replaced by Appendix 2 attached.
  - 3.3. The Annex to Appendix B concerning outward processing traffic is replaced by Appendix 3 attached (OPT quotas).
4. I should be obliged if you would kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this letter, completed by its Appendices and your written confirmation, will constitute an Agreement in the form of an Exchange of Letters between the Community and the Republic of Hungary. This Agreement shall enter into force on the first day of the month following that in which the European Community and the Republic of Hungary notify each other that they have completed the necessary internal procedures to this effect. In the meantime, the amendments to the Additional Protocol will apply on a provisional basis from 1 January 1996, provided that they are applied on a reciprocal basis.

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

I have the honour to confirm that my Government is in agreement with the contents of your letter.

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

*For the Council  
of the Republic of Hungary*

## Appendix 1

## ANNEX II

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Protocol)

## Community quantitative limits

(in tonnes or 1 000 pieces)

Category	Unit	1996	1997
2	tonnes	5 402	5 510
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8	pieces	3 416	3 519
9	tonnes	1 350	1 417
12	pairs	25 415	26 813
15	pieces	2 488	2 637
16	pieces	1 630	1 728
17	pieces	1 281	1 358
20	tonnes	3 769	3 977
24	pieces(*)	6 031	6 393
117	tonnes	1 145	1 213

(\*) For the purpose of setting off exports against the agreed quantitative limits a conversion rate of 5 garments (other than babies' garments) of a maximum commercial size of 130 cm, for 3 garments whose commercial size exceeds 130 cm may be applied for up to 5 % of the quantitative limits. The export licence concerning these products must bear, in box 9, the words 'The commercial rate for garments of a commercial size of not more than 130 cm must be applied'.

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## Notes

1. In the management of its global quota on consumer goods, Hungary will ensure that preferential treatment is given to textiles and clothing products of Community origin, including as regards classification.

2. The levels of the Community sub-ceilings outlined in this Annex shall be adjusted in case of a significant increase of internal consumption in Hungary, in order to improve the market access conditions for the Community. In particular, the Community share of the sub-ceilings should not be reduced as a result of an overall increase in the total level of the global quota for consumer goods.

The full product descriptions are to be found in Annex III, Part 2 to the Protocol.

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*(in 1 000 pieces)*

Category	Unit	1996	1997
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8	pieces	12 143	12 689
12	pairs	36 140	39 122
15	pieces	17 610	19 195
16	pieces	3 740	4 077
17	pieces	4 194	4 571
24	pieces	10 063	10 969



## AGREEMENT

in the form of an Exchange of Letters amending the Additional Protocol on trade in textile products between the European Community and the Republic of Poland

*Letter from the Council of the European Union*

Sir,

1. I have the honour to refer to the negotiations held on 20—21 November 1995 between our respective Delegations with a view to amending the Additional Protocol on trade in textiles products between the European Community and the Republic of Poland, applied since 1 January 1993, as last amended by the Agreement in the form of an Exchange of Letters initialled on 5 December 1994. These negotiations were held in the context of Article 1, paragraph 3, of the aforesaid Additional Protocol.
2. During these negotiations both parties noted with satisfaction the way in which the Additional Protocol has, in general, been implemented. Moreover, the European Community noted with satisfaction the progress being made in the opening of the Polish market and in particular the Polish undertaking to accelerate its tariff concessions in favour of textiles and clothing products originating within the European Community and exported to the Republic of Poland as outlined in Appendix 1 attached, with application from 1 January 1996. The Republic of Poland undertakes to notify the European Community before 1 January 1996 that the necessary steps have been taken to implement the concessions outlined in Appendix 1.
3. In order to foster the development of further mutually beneficial trade flows it was agreed to amend the Additional Protocol as follows:
  - 3.1. Annex II (EU direct quotas) is replaced by Appendix 2 attached.
  - 3.2. The Annex to Appendix B concerning outward processing traffic is replaced by Appendix 3 attached (OPT) quotas).
4. I should be obliged if you would kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this letter, completed by its Appendices, Agreed Minutes and your written confirmation, will constitute an Agreement in the form of an Exchange of Letters between the Community and the Republic of Poland. This Agreement shall enter into force on the first day of the month following that in which the European Community and the Republic of Poland notify each other that they have completed the necessary internal procedures to this effect. In the meantime, the amendments to the Additional Protocol will apply on a provisional basis from 1 January 1996, provided that they are applied on a reciprocal basis.

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

*For the Council  
of the European Union*

## Appendix 1

## Polish tariff undertaking

The Government of Poland undertakes to implement the following tariff concessions in favour of textiles and clothing products originating within the European Community and imported into Poland, to be applied from 1 January 1996.

The customs duties on the following products are, on 1 January 1996, to be reduced by 30 % of the basic duty rate, on 1 January 1997, to be further reduced by 30 % of the basic duty rate, and on 1 January 1998 the remaining customs duties shall be eliminated:

## Combined nomenclature:

5004 00	5404 10	6111 10
5006 00	5503 10	6209 90
5307 10	5503 30	6212 90
5403 20	5503 40	6215 10
5403 39	5504 10	6503 00
5403 41	5506 20	6505 90
5403 42	5506 90	6601 10
5403 49	5605 00	5204 11

## Appendix 2

## ANNEX II

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Protocol)

## Community quantitative limits

(in tonnes or 1 000 pieces)

Category	Unit	1996	1997
2	tonnes	8 053	8 214
2a	tonnes	2 551	2 602
3	tonnes	4 386	4 561
4	pieces (*)	25 199	26 207
5	pieces	9 395	9 817
6	pieces (*)	6 848	7 190
8	pieces	4 820	4 989
9	tonnes	3 208	3 369
15	pieces	3 193	3 384
20	tonnes	3 787	3 977
26	pieces	6 063	6 426
90	tonnes	5 504	5 779
117	tonnes	3 225	3 419

(\*) For the purpose of setting off exports against the agreed quantitative limits a conversion rate of 5 garments (other than babies' garments) of a maximum commercial size of 130 cm, for 3 garments whose commercial size exceeds 130 cm may be applied for up to 5 % of the quantitative limits. The export licence concerning these products must bear, in box 9, the words 'The commercial rate for garments of a commercial size of not more than 130 cm must be applied'.

*Appendix 3*

## ANNEX TO APPENDIX B

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Protocol)

## Outward processing traffic — Community quantitative limits

*(in 1 000 pieces)*

Category	Unit	1996	1997
4	pieces	12 340	13 080
5	pieces	14 797	15 796
6	pieces	29 764	31 996
8	pieces	26 047	27 414
15	pieces	18 448	20 108
26	pieces	6 709	7 313

*Letter from the Government of the Republic of Poland*

Sir,

I have the honour to acknowledge receipt of your letter of . . . which reads as follows:

'Sir,

1. I have the honour to refer to the negotiations held on 20—21 November 1995 between our respective Delegations with a view to amending the Additional Protocol on trade in textiles products between the European Community and the Republic of Poland, applied since 1 January 1993, as last amended by the Agreement in the form of an Exchange of Letters initialled on 5 December 1994. These negotiations were held in the context of Article 1, paragraph 3, of the aforesaid Additional Protocol.
2. During these negotiations both parties noted with satisfaction the way in which the Additional Protocol has, in general, been implemented. Moreover, the European Community noted with satisfaction the progress being made in the opening of the Polish market and in particular the Polish undertaking to accelerate its tariff concessions in favour of textiles and clothing products originating within the European Community and exported to the Republic of Poland as outlined in Appendix 1 attached, with application from 1 January 1996. The Republic of Poland undertakes to notify the European Community before 1 January 1996 that the necessary steps have been taken to implement the concessions outlined in Appendix 1.
3. In order to foster the development of further mutually beneficial trade flows it was agreed to amend the Additional Protocol as follows:
  - 3.1. Annex II (EU direct quotas) is replaced by Appendix 2 attached.
  - 3.2. The Annex to Appendix B concerning outward processing traffic is replaced by Appendix 3 attached (OPT) quotas).
4. I should be obliged if you would kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this letter, completed by its Appendices, Agreed Minutes and your written confirmation, will constitute an Agreement in the form of an Exchange of Letters between the Community and the Republic of Poland. This Agreement shall enter into force on the first day of the month following that in which the European Community and the Republic of Poland notify each other that they have completed the necessary internal procedures to this effect. In the meantime, the amendments to the Additional Protocol will apply on a provisional basis from 1 January 1996, provided that they are applied on a reciprocal basis.

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

I have the honour to confirm that my Government is in agreement with the contents of your Letter.

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

*For the Government  
of the Republic of Poland*

## Appendix 1

## Polish tariff undertaking

The Government of Poland undertakes to implement the following tariff concessions in favour of textiles and clothing products originating within the European Community and imported into Poland, to be applied from 1 January 1996.

The customs duties on the following products are, on 1 January 1996, to be reduced by 30% of the basic duty rate, on 1 January 1997, to be further reduced by 30% of the basic duty rate, and on 1 January 1998 the remaining customs duties shall be eliminated:

## Combined nomenclature:

5004 00	5404 10	6111 10
5006 00	5503 10	6209 90
5307 10	5503 30	6212 90
5403 20	5503 40	6215 10
5403 39	5504 10	6503 00
5403 41	5506 20	6505 90
5403 42	5506 90	6601 10
5403 49	5605 00	5204 11

## Appendix 2

## ANNEX II

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Protocol)

## Community quantitative limits

(in tonnes or 1 000 pieces)

Category	Unit	1996	1997
2	tonnes	8 053	8 214
2a	tonnes	2 551	2 602
3	tonnes	4 386	4 561
4	pieces(*)	25 199	26 207
5	pieces	9 395	9 817
6	pieces(*)	6 848	7 190
8	pieces	4 820	4 989
9	tonnes	3 208	3 369
15	pieces	3 193	3 384
20	tonnes	3 787	3 977
26	pieces	6 063	6 426
90	tonnes	5 504	5 779
117	tonnes	3 225	3 419

(\*) For the purpose of setting off exports against the agreed quantitative limits a conversion rate of 5 garments (other than babies' garments) of a maximum commercial size of 130 cm, for 3 garments whose commercial size exceeds 130 cm may be applied for up to 5% of the quantitative limits. The export licence concerning these products must bear, in box 9, the words 'The commercial rate for garments of a commercial size of not more than 130 cm must be applied'.

## Appendix 3

## ANNEX TO APPENDIX B

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Protocol)

## Outward processing traffic — Community quantitative limits

*(in 1 000 pieces)*

Category	Unit	1996	1997
4	pieces	12 340	13 080
5	pieces	14 797	15 796
6	pieces	29 764	31 996
8	pieces	26 047	27 414
15	pieces	18 448	20 108
26	pieces	6 709	7 313

## Agreed Minute

In the context of the negotiations held on 20—21 November 1995 in accordance with Article 1, paragraph 3 of the Additional Protocol to the Europe Agreement on Trade in Textile Products between the European Community and the Republic of Poland, the Parties agreed that further consultations shall be held not later than 31 March 1996 on the question of the pricing of Polish exports of category 90 and category 50 products.

*For the Government of  
the Republic of Poland*

*For the Council of the  
European Union*

## AGREEMENT

in the form of an Exchange of Letters amending the Additional Protocol to the Europe Agreement on Trade in Textile Products between the European Community and Romania

*Letter from the Council of the European Union*

Sir,

1. I have the honour to refer to the negotiations held on 30—31 October 1995 between our respective Delegations with a view to amending the Additional Protocol on trade in textile products between the European Community and Romania, applied since 1 May 1993, as last amended by the Agreement in the form of an Exchange of Letters initialled on 2 December 1994. These negotiations were held in the context of Article 1, paragraph 3, of the aforesaid Additional Protocol.
2. During these negotiations both Parties noted with satisfaction the way in which the Additional Protocol has, in general, been implemented.
3. In order to foster the development of further mutually beneficial trade flows it was agreed to amend the Additional Protocol as follows:
  - 3.1. The first subparagraph of Article 2, paragraph 3 of the Protocol is replaced by the following:

‘3. The origin of the products covered by this Protocol shall be determined in accordance with the rules of non-preferential origin in force in the Community.’
  - 3.2. Article 2, paragraph 3 of Appendix A is replaced by the following:

‘The certificate of origin referred to in paragraph 1 above is not required for the importation of goods covered by a movement certificate EUR1 or a form EUR2 issued in conformity with Protocol No 4 to the Europe Agreement in cases where those documents clearly establish that Romania is to be considered as the country of origin on the basis of the rules on non-preferential origin in force in the Community.’
  - 3.3. Annex II (EU direct quotas) is replaced by Appendix 1 attached.
  - 3.4. The Annex to Appendix B concerning outward processing traffic is replaced by Appendix 2 attached (OPT quotas).
4. I should be obliged if you would kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this letter, completed by its Appendices, Agreed Minutes and your written confirmation, will constitute an Agreement in the form of an Exchange of Letters between the Community and Romania. This Agreement shall enter into force on the first day of the month following that in which the European Community and Romania notify each other that they have completed the necessary internal procedures to this effect. In the meantime, the amendments to the Additional Protocol will apply on a provisional basis from 1 January 1996, on the conditions to be specified in an Exchange of Notes (see Appendix 3), provided that they are applied on a reciprocal basis.

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

*For the Council  
of the European Union*

## Appendix 1

## ANNEX II

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Protocol)

## COMMUNITY QUANTITATIVE LIMITS

(in tonnes or 1 000 pieces)

Category	Unit	1996	1997
2	tonnes	6 869	7 006
2a	tonnes	4 024	4 104
3	tonnes	3 158	3 316
4	pieces (*)	29 568	30 751
5	pieces	19 212	20 077
6	pieces (*)	8 919	9 320
7	pieces	2 332	2 437
8	pieces	11 404	11 746
12	pairs	57 145	60 002
14	pieces	1 955	2 072
15	pieces	3 074	3 258
17	pieces	2 051	2 174
20	tonnes	2 601	2 757
24	pieces	12 225	12 958
118	tonnes	1 011	1 071

(\*) For the purpose of setting off exports against the agreed quantitative limits a conversion rate of 5 garments (other than babies' garments) of a maximum commercial size of 130 cm, for 3 garments whose commercial size exceeds 130 cm may be applied for up to 5% of the quantitative limits. The export licence concerning these products must bear, in box 9, the words 'The commercial rate for garments of a commercial size of not more than 130 cm must be applied'.



*Appendix 2*

## ANNEX TO APPENDIX B

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Protocol)

## OUTWARD PROCESSING TRAFFIC

## Community quantitative limits

*(in 1 000 pieces)*

Category	Unit	1996	1997
4	pieces	6 650	7 049
5	pieces	12 077	12 892
6	pieces	18 117	19 340
7	pieces	13 588	14 505
8	pieces	19 121	19 981
12	pairs	13 105	14 088
14	pieces	4 019	4 381
15	pieces	9 644	10 512
17	pieces	5 624	6 130
24	pieces	6 430	7 009

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*Appendix 3***Exchange of Notes**

The Directorate-General I of the Commission of the European Communities presents its compliments to the Mission of Romania to the European Communities and has the honour to refer to the Additional Protocol to the Europe Agreement on Trade in Textile Products between Romania and the European Community initialled on 30 April 1993, as last amended by the Exchange of Letters initialled on 31 October 1995.

The Directorate-General wishes to inform the Mission of Romania that whilst awaiting the completion of the necessary procedures for the conclusion and coming into force of the amended Additional Protocol, the European Community is prepared to allow the provisions of the Agreement to apply *de facto* from 1 January 1996. This is on the understanding that either Party may at any time terminate this *de facto* application of the amended Additional Protocol provided that six months notice is given.

The Directorate-General would be grateful if the Mission of Romania would confirm its agreement to the foregoing.

The Directorate-General I of the Commission of the European Communities avails itself of this opportunity to renew to the Mission of Romania to the European Communities the assurance of its highest consideration.

The Mission of Romania to the European Communities presents its compliments to the Directorate-General I of the Commission of the European Communities and has the honour to refer to the Note of the Directorate-General of (date of *Note Verbale*) regarding the Additional Protocol to the Europe Agreement on Trade in Textile Products between Romania and the European Community initialled on 30 April 1993, as last amended by the Exchange of Letters initialled on 31 October 1995.

The Mission of Romania wishes to confirm to the Directorate-General that whilst awaiting the completion of the necessary procedures for the conclusion and coming into force of the amended Additional Protocol, the Government of Romania is prepared to allow the provisions of the Agreement to apply *de facto* from 1 January 1996. This is on the understanding that either Party may at any time terminate this *de facto* application of the amended Additional Protocol provided that six months notice is given.

The Mission of Romania to the European Communities avails itself of this opportunity to renew to the Directorate-General I of the Commission of the European Communities the assurance of its highest consideration.

---

*Letter from the Government of Romania*

Sir,

I have the honour to acknowledge receipt of your letter of . . . which reads as follows:

'Sir,

1. I have the honour to refer to the negotiations held on 30—31 October 1995 between our respective Delegations with a view to amending the Additional Protocol on trade in textile products between the European Community and Romania, applied since 1 May 1993, as last amended by the Agreement in the form of an Exchange of Letters initialled on 2 December 1994. These negotiations were held in the context of Article 1, paragraph 3, of the aforesaid Additional Protocol.
2. During these negotiations both Parties noted with satisfaction the way in which the Additional Protocol has, in general, been implemented.
3. In order to foster the development of further mutually beneficial trade flows it was agreed to amend the Additional Protocol as follows:
  - 3.1. The first subparagraph of Article 2, paragraph 3 of the Protocol is replaced by the following:

“3. The origin of the products covered by this Protocol shall be determined in accordance with the rules of non-preferential origin in force in the Community.”
  - 3.2. Article 2, paragraph 3 of Appendix A is replaced by the following:

“The certificate of origin referred to in paragraph 1 above is not required for the importation of goods covered by a movement certificate EUR1 or a form EUR2 issued in conformity with Protocol 4 to the Europe Agreement in cases where those documents clearly establish that Romania is to be considered as the country of origin on the basis of the rules on non-preferential origin in force in the Community.”
  - 3.3. Annex II (EU direct quotas) is replaced by Appendix 1 attached.
  - 3.4. The Annex to Appendix B concerning outward processing traffic is replaced by Appendix 2 attached (OPT quotas).
4. I should be obliged if you would kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this letter, completed by its Appendices, Agreed Minutes and your written confirmation, will constitute an Agreement in the form of an Exchange of Letters between the Community and Romania. This Agreement shall enter into force on the first day of the month following that in which the European Community and Romania notify each other that they have completed the necessary internal procedures to this effect. In the meantime, the amendments to the Additional Protocol will apply on a provisional basis from 1 January 1996, on the conditions to be specified in an Exchange of Notes (see Appendix 3), provided that they are applied on a reciprocal basis.

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

I have the honour to confirm that my Government is in agreement with the contents of your Letter.

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

*For the Government  
of Romania*

## Appendix 1

## ANNEX II

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Protocol)

## COMMUNITY QUANTITATIVE LIMITS

(in tonnes or 1 000 pieces)

Category	Unit	1996	1997
2	tonnes	6 869	7 006
2a	tonnes	4 024	4 104
3	tonnes	3 158	3 316
4	pieces (*)	29 568	30 751
5	pieces	19 212	20 077
6	pieces (*)	8 919	9 320
7	pieces	2 332	2 437
8	pieces	11 404	11 746
12	pairs	57 145	60 002
14	pieces	1 955	2 072
15	pieces	3 074	3 258
17	pieces	2 051	2 174
20	tonnes	2 601	2 757
24	pieces	12 225	12 958
118	tonnes	1 011	1 071

(\*) For the purpose of setting off exports against the agreed quantitative limits a conversion rate of 5 garments (other than babies' garments) of a maximum commercial size of 130 cm, for 3 garments whose commercial size exceeds 130 cm may be applied for up to 5 % of the quantitative limits. The export licence concerning these products must bear, in box 9, the words 'The commercial rate for garments of a commercial size of not more than 130 cm must be applied'.

## Appendix 2

## ANNEX TO APPENDIX B

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Protocol)

## OUTWARD PROCESSING TRAFFIC

## Community quantitative limits

(in 1 000 pieces)

Category	Unit	1996	1997
4	pieces	6 650	7 049
5	pieces	12 077	12 892
6	pieces	18 117	19 340
7	pieces	13 588	14 505
8	pieces	19 121	19 981
12	pairs	13 105	14 088
14	pieces	4 019	4 381
15	pieces	9 644	10 512
17	pieces	5 624	6 130
24	pieces	6 430	7 009

---

*Appendix 3***Exchange of Notes**

The Directorate-General I of the Commission of the European Communities presents its compliments to the Mission of Romania to the European Communities and has the honour to refer to the Additional Protocol to the Europe Agreement on Trade in Textile Products between Romania and the European Community initialled on 30 April 1993, as last amended by the Exchange of Letters initialled on 31 October 1995.

The Directorate-General wishes to inform the Mission of Romania that whilst awaiting the completion of the necessary procedures for the conclusion and coming into force of the amended Additional Protocol, the European Community is prepared to allow the provisions of the Agreement to apply *de facto* from 1 January 1996. This is on the understanding that either Party may at any time terminate this *de facto* application of the amended Additional Protocol provided that six months notice is given.

The Directorate-General would be grateful if the Mission of Romania would confirm its agreement to the foregoing.

The Directorate-General I of the Commission of the European Communities avails itself of this opportunity to renew to the Mission of Romania to the European Communities the assurance of its highest consideration.

The Mission of Romania to the European Communities presents its compliments to the Directorate-General I of the Commission of the European Communities and has the honour to refer to the Note of the Directorate-General of (date of *Note Verbale*) regarding the Additional Protocol to the Europe Agreement on Trade in Textile Products between Romania and the European Community initialled on 30 April 1993, as last amended by the Exchange of Letters initialled on 31 October 1995.

The Mission of Romania wishes to confirm to the Directorate-General that whilst awaiting the completion of the necessary procedures for the conclusion and coming into force of the amended Additional Protocol, the Government of Romania is prepared to allow the provisions of the Agreement to apply *de facto* from 1 January 1996. This is on the understanding that either Party may at any time terminate this *de facto* application of the amended Additional Protocol provided that six months notice is given.

The Mission of Romania to the European Communities avails itself of this opportunity to renew to the Directorate-General I of the Commission of the European Communities the assurance of its highest consideration.

**Declaration of the Commission**

In the context of the consultations held on 30—31 October 1995 in accordance with Article 1 (3) of the Additional Protocol on trade in textiles products between the European Community and Romania, applied since 1 May 1993, the Commission noted the concern expressed by the Romanian delegation in relation to the level of utilisation of prior authorisations issued for OPT purposes and declared its willingness to examine the matter in the appropriate forum with Member States in due course, and to inform the Romanian authorities accordingly.

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## AGREEMENT

in the form of an Exchange of Letters between the European Community and Ukraine concerning the renewal of the Agreement between the European Economic Community and Ukraine on Trade in Textile Products initialled on 5 May 1993, as last amended by the Agreement in the form of an Exchange of Letters initialled on 22 December 1994

*Letter from the Council of the European Union*

Sir,

1. I have the honour to refer to the negotiations held on 8 and 9 November 1995 between our respective delegations with a view to renew the Agreement between the European Economic Community and Ukraine on trade in textile products initialled on 5 May 1993, as last amended by the Agreement in the form of an Exchange of Letters initialled on 22 December 1994.
2. As a result of these negotiations, both Parties agreed to amend the following provisions of the Agreement:
  - 2.1. In Article 2, paragraph 1, the following subparagraph is added:

‘Exports of products listed in Annex III not subject to quantitative limits shall be subject to a double-checking system as specified in Protocol A.’
  - 2.2. The second and third sentence of Article 20, paragraph 1, are replaced by the following text:

‘It shall be applicable until 31 December 1998. 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 1999, unless either Party notifies the other at least six months before 31 December 1998, that it does not agree with this extension.’
  - 2.3. Annex II which sets out the quantitative restrictions for exports from Ukraine to the European Community is replaced for the period 1 January 1996 to 31 December 1999 by Appendix 1 to this letter.
  - 2.4. The Annex to Protocol C which sets out the quantitative restrictions for exports from Ukraine to the European Community after OPT operations in Ukraine is replaced for the period 1 January 1996 to 31 December 1999 by Appendix 2 to this letter.
  - 2.5. The title of Title III of Protocol A is replaced by ‘Double-checking system’.
  - 2.6. In Article 6, paragraph 1, of Protocol A, the following subparagraph is added:

‘The competent authorities of Ukraine shall issue an export licence in respect of all consignments of textile products listed in Annex III subject to a double-checking system without quantitative limits as provided for in Article 2, paragraph 1, second subparagraph of the Agreement.’
  - 2.7. After Article 7, paragraph 2, of Protocol A, the following paragraph is added:

‘3. For products subject to a double checking system without quantitative limits the export licence shall conform to the model annexed to this Protocol. It shall only cover one category of products and may be used for one or more consignment of the products in question. It shall be valid for exports throughout the customs territory to which the Treaty establishing the European Community applies.’

2.8. The text of Article 11 of Protocol A is replaced by the following text:

'Importation into the Community of textile products subject to quantitative limits or to a double-checking system without quantitative limits shall be subject to the presentation of an import authorization.'

3. Annex III referred to under 2.6 is reproduced in Appendix 3 to this letter.
4. The model of the export licence referred to under 2.7 is reproduced in Appendix 4 to this letter.
5. Should Ukraine become a Member to the World Trade Organisation before the date of expiry of the Agreement, the provisions of Article 2, paragraphs 2 and 3, 3, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, Protocol A, Protocol B, Protocol C, Agreed Minute No 1, Agreed Minute No 2, Agreed Minute No 3, Agreed Minute No 4 and Agreed Minute No 6 shall continue to be applicable as administrative arrangements within the meaning of Article 2, paragraph 17 of the WTO Agreement on Textiles and Clothing.
6. The Agreed Minute set out in Appendix 5 to this letter shall form an integral part of the Agreement.
7. I should be obliged if you could kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this Agreement in the form of an 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. In the meantime, it shall be applied provisionally from 1 January 1996 on conditions of reciprocity.

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

*For the Council  
of the European Union*



## Appendix 1

## ANNEX II

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Agreement)

## COMMUNITY QUANTITATIVE LIMITS

Category	Unit	1996	1997	1998	1999
1	tonnes	1 300	1 346	1 393	1 441
2	tonnes	1 800	1 863	1 928	1 996
of which 2a	tonnes	500	518	536	554
3	tonnes	610	631	653	676
4	1 000 pieces	1 500	1 568	1 638	1 712
5	1 000 pieces	1 200	1 254	1 310	1 369
6	1 000 pieces	1 100	1 150	1 201	1 255
7	1 000 pieces	500	523	546	571
8	1 000 pieces	800	836	874	913
9	tonnes	378	395	413	431
20	tonnes	620	642	664	687
23	tonnes	366	384	404	424
39	tonnes	300	315	331	347
12	1 000 pairs	5 900	6 195	6 505	6 830
13	1 000 pieces	2 250	2 318	2 387	2 459
15	1 000 pieces	400	418	437	456
16	1 000 pieces	90	94	97	101
21	1 000 pieces	300	314	328	342
24	1 000 pieces	680	714	750	787
26/27	1 000 pieces	600	627	655	685
29	1 000 pieces	150	156	162	169
36	tonnes	750	791	835	881
37	tonnes	923	969	1 018	1 068
50	tonnes	280	294	309	324
67	tonnes	245	257	270	284
90	tonnes	600	630	662	695
115	tonnes	222	233	245	257
117	tonnes	550	578	606	637
118	tonnes	350	368	386	405

*Appendix 2*

## ANNEX TO PROTOCOL C

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Agreement)

## OPT QUOTAS

## Community quantitative limits

Category	Unit	1996	1997	1998	1999
4	1 000 pieces	2 235	2 386	2 547	2 719
5	1 000 pieces	3 073	3 281	3 502	3 739
6	1 000 pieces	3 912	4 176	4 458	4 759
7	1 000 pieces	5 727	6 114	6 527	6 967
8	1 000 pieces	1 118	1 193	1 274	1 360
12	1 000 pairs	8 500	9 138	9 823	10 560
13	1 000 pieces	1 071	1 120	1 170	1 223
15	1 000 pieces	3 353	3 580	3 821	4 079
16	1 000 pieces	689	730	774	820
21	1 000 pieces	2 235	2 386	2 547	2 719
24	1 000 pieces	991	1 065	1 145	1 231
26/27	1 000 pieces	6 705	7 158	7 641	8 157
29	1 000 pieces	1 515	1 606	1 702	1 805

*Appendix 3*

## ANNEX III

Products without quantitative limits subject to the double-checking system referred to in Article 2, paragraph 1, second subparagraph (the full product descriptions of the categories listed in this Annex are to be found in Annex I to the Agreement).

## Categories

22  
33  
73  
74  
83



1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	<b>ORIGINAL</b>		2 No BD
	3 Export year Année d'exportation	4 Category number Numéro de catégorie	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<b>EXPORT LICENCE (Textile products)</b>		
	<b>LICENCE D'EXPORTATION (Produits textiles)</b>		
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 CATÉGORIE TEXTILE NON LIMITÉE		
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DÉSIGNATION DES MARCHANDISES		11 Quantity (1) Quantité (1)	12 FOB value (2) Valeur fob (2)
13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITÉ COMPÉTENTE  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 Community and Ukraine. 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 européenne et l'Ukraine.			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)		At - À ..... on - le .....	
		(Signature)	(Stamp - Cachet)

(1) 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.  
(2) In the currency of the sale contract - Dans la monnaie du contrat de vente.



*Appendix 5***AGREED MINUTE**

In the context of the Agreement between the European Community and Ukraine on trade in textile and clothing products, initialled in Brussels on 9 November 1995, Ukraine declared that at present there are neither quantitative limits, licensing systems or other non-tariff barriers applicable to imports of textile and clothing products originating in the European Community into Ukraine, nor double-pricing practices for raw materials and other textile products.

As regards customs duties presently applicable to the abovementioned imports into Ukraine, both Parties agreed that these duties will be bound at the present level for the duration of the Agreement. Ukraine also agreed not to introduce any non-tariff barriers to imports of textile and clothing products originating in the European Community.

As far as customs duties applicable to specific categories of textile products are concerned, the Community's proposals for their alignment to customs duties applicable to imports of the same products into the Community, will be submitted to the concerned authorities of Ukraine for their thorough consideration and early decision.

Brussels, 9 November 1995

*For the Government  
of Ukraine*

*For the Council  
of the European Union*

\_\_\_\_\_

*Letter from the Government of Ukraine*

Sir,

I have the honour to acknowledge receipt of your letter of . . . which reads as follows:

‘Sir,

1. I have the honour to refer to the negotiations held on 8 and 9 November 1995 between our respective delegations with a view to renew the Agreement between the European Economic Community and Ukraine on trade in textile products initialled on 5 May 1993, as last amended by the Agreement in the form of an Exchange of Letters initialled on 22 December 1994.
2. As a result of these negotiations, both Parties agreed to amend the following provisions of the Agreement:
  - 2.1. In Article 2, paragraph 1, the following subparagraph is added:

“Exports of products listed in Annex III not subject to quantitative limits shall be subject to a double-checking system as specified in Protocol A.”
  - 2.2. The second and third sentence of Article 20, paragraph 1, are replaced by the following text:

“It shall be applicable until 31 December 1998. 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 1999, unless either Party notifies the other at least six months before 31 December 1998, that it does not agree with this extension.”
  - 2.3. Annex II which sets out the quantitative restrictions for exports from Ukraine to the European Community is replaced for the period 1 January 1996 to 31 December 1999 by Appendix 1 to this letter.
  - 2.4. The Annex to Protocol C which sets out the quantitative restrictions for exports from Ukraine to the European Community after OPT operations in Ukraine is replaced for the period 1 January 1996 to 31 December 1999 by Appendix 2 to this letter.
  - 2.5. The title of Title III of Protocol A is replaced by “Double-checking system”.
  - 2.6. In Article 6, paragraph 1, of Protocol A, the following subparagraph is added:

“The competent authorities of Ukraine shall issue an export licence in respect of all consignments of textile products listed in Annex III subject to a double-checking system without quantitative limits as provided for in Article 2, paragraph 1, second subparagraph of the Agreement.”
  - 2.7. After Article 7, paragraph 2, of Protocol A, the following paragraph is added:

“3. For products subject to a double checking system without quantitative limits the export licence shall conform to the model annexed to this Protocol. It shall only cover one category of products and may be used for one ore more consignment of the products in question. It shall be valid for exports throughout the customs territory to which the Treaty establishing the European Community applies.”

- 2.8. The text of Article 11 of Protocol A is replaced by the following text:  
“Importation into the Community of textile products subject to quantitative limits or to a double-checking system without quantitative limits shall be subject to the presentation of an import authorization.”
3. Annex III referred to under 2.6 is reproduced in Appendix 3 to this letter.
4. The model of the export licence referred to under 2.7 is reproduced in Appendix 4 to this letter.
5. Should Ukraine become a Member to the World Trade Organisation before the date of expiry of the Agreement, the provisions of Article 2, paragraphs 2 and 3, 3, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, Protocol A, Protocol B, Protocol C, Agreed Minute No 1, Agreed Minute No 2, Agreed Minute No 3, Agreed Minute No 4 and Agreed Minute No 6 shall continue to be applicable as administrative arrangements within the meaning of Article 2, paragraph 17 of the WTO Agreement on Textiles and Clothing.
6. The Agreed Minute set out in Appendix 5 to this letter shall form an integral part of the Agreement.
7. I should be obliged if you could kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this Agreement in the form of an 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. In the meantime, it shall be applied provisionally from 1 January 1996 on conditions of reciprocity.

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

I have the honour to confirm that my Government is in agreement with the contents of your letter.

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

*For the Government  
of Ukraine*



## Appendix 1

## ANNEX II

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Agreement)

## COMMUNITY QUANTITATIVE LIMITS

Category	Unit	1996	1997	1998	1999
1	tonnes	1 300	1 346	1 393	1 441
2	tonnes	1 800	1 863	1 928	1 996
of which 2a	tonnes	500	518	536	554
3	tonnes	610	631	653	676
4	1 000 pieces	1 500	1 568	1 638	1 712
5	1 000 pieces	1 200	1 254	1 310	1 369
6	1 000 pieces	1 100	1 150	1 201	1 255
7	1 000 pieces	500	523	546	571
8	1 000 pieces	800	836	874	913
9	tonnes	378	395	413	431
20	tonnes	620	642	664	687
23	tonnes	366	384	404	424
39	tonnes	300	315	331	347
12	1 000 pairs	5 900	6 195	6 505	6 830
13	1 000 pieces	2 250	2 318	2 387	2 459
15	1 000 pieces	400	418	437	456
16	1 000 pieces	90	94	97	101
21	1 000 pieces	300	314	328	342
24	1 000 pieces	680	714	750	787
26/27	1 000 pieces	600	627	655	685
29	1 000 pieces	150	156	162	169
36	tonnes	750	791	835	881
37	tonnes	923	969	1 018	1 068
50	tonnes	280	294	309	324
67	tonnes	245	257	270	284
90	tonnes	600	630	662	695
115	tonnes	222	233	245	257
117	tonnes	550	578	606	637
118	tonnes	350	368	386	405

*Appendix 2*

## ANNEX TO PROTOCOL C

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to the Agreement)

## OPT QUOTAS

## Community quantitative limits

Category	Unit	1996	1997	1998	1999
4	1 000 pieces	2 235	2 386	2 547	2 719
5	1 000 pieces	3 073	3 281	3 502	3 739
6	1 000 pieces	3 912	4 176	4 458	4 759
7	1 000 pieces	5 727	6 114	6 527	6 967
8	1 000 pieces	1 118	1 193	1 274	1 360
12	1 000 pairs	8 500	9 138	9 823	10 560
13	1 000 pieces	1 071	1 120	1 170	1 223
15	1 000 pieces	3 353	3 580	3 821	4 079
16	1 000 pieces	689	730	774	820
21	1 000 pieces	2 235	2 386	2 547	2 719
24	1 000 pieces	991	1 065	1 145	1 231
26/27	1 000 pieces	6 705	7 158	7 641	8 157
29	1 000 pieces	1 515	1 606	1 702	1 805

*Appendix 3*

## ANNEX III

Products without quantitative limits subject to the double-checking system referred to in Article 2, paragraph 1, second subparagraph (the full product descriptions of the categories listed in this Annex are to be found in Annex I to the Agreement).

## Categories

22  
33  
73  
74  
83



1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	<b>ORIGINAL</b>		2 No BD
	3 Export year Année d'exportation	4 Category number Numéro de catégorie	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<b>EXPORT LICENCE (Textile products)</b>		
	<b>LICENCE D'EXPORTATION (Produits textiles)</b>		
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 CATÉGORIE TEXTILE NON LIMITÉE		
10 Marks and numbers – Number and kind of packages – DESCRIPTION OF GOODS Marques et numéros – Nombre et nature des colis – DÉSIGNATION DES MARCHANDISES		11 Quantity (1) Quantité (1)	12 FOB value (2) Valeur fob (2)
13 CERTIFICATION BY THE COMPETENT AUTHORITY – VISA DE L'AUTORITÉ COMPÉTENTE			
<p>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 Community and Ukraine.</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 l'accord sur le commerce des produits textiles entre la Communauté européenne et l'Ukraine.</p>			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)		At – À ..... on – le .....	
		(Signature)	(Stamp – Cachet)

(1) 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.  
(2) In the currency of the sale contract – Dans la monnaie du contrat de vente.



*Appendix 5***AGREED MINUTE**

In the context of the Agreement between the European Community and Ukraine on trade in textile and clothing products, initialled in Brussels on 9 November 1995, Ukraine declared that at present there are neither quantitative limits, licensing systems or other non-tariff barriers applicable to imports of textile and clothing products originating in the European Community into Ukraine, nor double-pricing practices for raw materials and other textile products.

As regards customs duties presently applicable to the abovementioned imports into Ukraine, both Parties agreed that these duties will be bound at the present level for the duration of the Agreement. Ukraine also agreed not to introduce any non-tariff barriers to imports of textile and clothing products originating in the European Community.

As far as customs duties applicable to specific categories of textile products are concerned, the Community's proposals for their alignment to customs duties applicable to imports of the same products into the Community, will be submitted to the concerned authorities of Ukraine for their thorough consideration and early decision.

Brussels, 9 November 1995

*For the Government  
of Ukraine*

*For the Council  
of the European Union*

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