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L 81/265

DZIENNIK URZĘDOWY WSPÓLNOT EUROPEJSKICH

30.3.1996

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

*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.

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

Appendix 1

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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.

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.

Brussels, 7 November 1995

*For the Delegation of the Republic
of Belarus*

*For the Delegation
of the European Community*

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*
