

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

between the European Community and the People's Republic of China pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union

A. Letter from the European Community

Brussels, 03-04-2006

Sir,

Following the initiation of negotiations between the European Communities (EC) and the People's Republic of China under Article XXIV:6 and Article XXVIII of GATT 1994 for the modification of concessions in the schedules of Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the EU, the following is agreed between the EC and the People's Republic of China in order to close the negotiations opened following the EC's notification of 19 January 2004 to the WTO pursuant to Article XXIV:6 of GATT 1994.

The EC agrees to incorporate in its schedule for the customs territory of EC 25 the concessions that were included in its previous schedule.

The EC agrees that it will incorporate in its schedule for the EC 25 the concessions contained in the annex to this agreement.

This Agreement shall enter into force on the date on which the EC receives from the People's Republic of China a duly executed letter of agreement, following consideration by the parties in accordance with their own procedures. The EC undertakes to use its best endeavours to ensure that the appropriate implementing measures enter into force no later than 1 January 2006 and under no circumstances later than 1 July 2006.

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

On behalf of the European Community



ANNEX

0304 20 85 (frozen fillets of Alaska Pollack): a lowering of the current bound EC duty of 15 % to 13,7 %.

Add 20 500 tonnes to the allocation for China under the EC tariff rate quota for garlic, fresh or chilled, tariff item number 0703 20 00, in quota rate 9,6 %, out of quota rate 9,6 + EUR 120/100 kg/net.

Add 5 200 tonnes (drained net weight) in EC tariff rate quota for mushroom of species agaricus, prepared or preserved otherwise than by vinegar (tariff item number 2003 10 30, out of quota rate 18,4 + EUR 222/100 kg/net eda) and mushroom of species agaricus, provisionally preserved or preserved otherwise than by vinegar (tariff item number 2003 10 20, out of quota rate 18,4 + EUR 191/100 kg/net eda), in quota rate 23 %; inclusion of tariff line 0711 90 40 (out of quota rate 9,6 + EUR 191/100 kg/net eda) in the quota.

6402 19 00 (sports footwear): a lowering of the current bound EC duty of 17 % to 16,9 %.

6402 91 00 (footwear covering the ankle): a lowering of the current bound EC duty of 17 % to 16,9 %.

6404 11 00 (sports footwear): a lowering of the current bound EC duty of 17 % to 16,9 %.

6404 19 10 (slippers and other indoor footwear): a lowering of the current bound EC duty of 17 % to 16,9 %.

6402 99 (the category: footwear other): a lowering of the current bound EC duty of 17 % to 16,8 %.

8482 91 90 (balls, needles and rollers): a lowering of the current bound EC duty of 8 % to 7,7 %.

8521 90 00 (video recording apparatus, other): a lowering of the current bound EC duty of 14 % to 13,9 %.

8712 00 30 (bicycles not motorised): a lowering of the current bound EC duty of 15 % to 14 %.

Open a tariff rate quota of 7 tonnes (erga omnes) for paddy rice (tariff item number 1006 10), in quota rate 15 %, out of quota rate EUR 211/tonne.

Open a tariff rate quota of 1 634 tonnes (erga omnes) for husked rice (tariff item number 1006 20), in quota rate 15 %, out of quota rate EUR 65/tonne.

Add 25 516 tonnes (erga omnes) in EC tariff rate quota for milled and semi-milled rice (tariff item number 1006 30), in quota rate 0 %, out of quota rate EUR 175/tonne.

Add 31 788 tonnes (erga omnes) in EC tariff rate quota for broken rice (tariff item number 1006 40), in quota rate 0 %, out of quota rate EUR 128/tonne.

Open a tariff rate quota of 2 838 tonnes (erga omnes) for preserved pineapples, citrus fruit, pears, apricots, cherries, peaches and strawberries, in quota rate 20 %. Tariff item numbers and out of quota rates as follows:

2008 20 11: 25,6 + 2,5 EUR/100 kg/net	2008 20 19: 25,6	2008 20 31: 25,6 + 2,5 EUR/100 kg/net
2008 20 39: 25,6	2008 20 71: 20,8	2008 30 11: 25,6
2008 30 19: 25,6 + 4,2 EUR/100 kg net	2008 30 31: 24	2008 30 39: 25,6
2008 30 79: 20,8	2008 40 11: 25,6	2008 40 19: 25,6 + 4,2 EUR/100 kg/net
2008 40 21: 24	2008 40 29: 25,6	2008 40 31: 25,6 + 4,2 EUR/100 kg/net
2008 40 39: 25,6	2008 50 11: 25,6	2008 50 19: 25,6 + 4,2 EUR/100 kg/net
2008 50 31: 24	2008 50 39: 25,6	2008 50 51: 25,6 + 4,2 EUR/100 kg/net
2008 50 59: 25,6	2008 50 71: 20,8	2008 60 11: 25,6
2008 60 19: 25,6 + 4,2 EUR/100 kg/net	2008 60 31: 24	2008 60 39: 25,6
2008 60 60: 20,8	2008 70 11: 25,6	2008 79 19: 25,6 + 4,2 EUR/100 kg/net
2008 70 31: 24	2008 70 39: 25,6	2008 70 51: 25,6 + 4,2 EUR/100 kg/net
2008 70 59: 25,6	2008 80 11: 25,6	2008 80 19: 25,6 + 4,2 EUR/100 kg/net
2008 80 31: 24	2008 80 39: 25,6	2008 80 70: 20,8

The exact tariff description of the EC 15 shall apply to all tariff lines above.

B. Letter from the People's Republic of China

Beijing, 13-04-2006

Sir,

Reference is made to your letter stating:

'Following the initiation of negotiations between the European Communities (EC) and the People's Republic of China under Article XXIV:6 and Article XXVIII of GATT 1994 for the modification of concessions in the schedules of Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the EU, the following is agreed between the EC and the People's Republic of China in order to close the negotiations opened following the EC's notification of 19 January 2004 to the WTO pursuant to Article XXIV:6 of GATT 1994.

The EC agrees to incorporate in its schedule for the customs territory of EC 25, the concessions that were included in its previous schedule.

The EC agrees that it will incorporate in its schedule for the EC 25 the concessions contained in the annex to this agreement.

This Agreement shall enter into force on the date on which the EC receives from the People's Republic of China a duly executed letter of agreement, following consideration by the parties in accordance with their own procedures. The EC undertakes to use its best endeavours to ensure that the appropriate implementing measures enter into force no later than 1 January 2006 and under no circumstances later than 1 July 2006.'

I hereby have the honour to express my Government's agreement.

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

On behalf of the People's Republic of China


