

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Bilateral agreement between Sweden and Korea

The Textiles Surveillance Body received a notification from Sweden of a bilateral agreement with Korea for the period 1 July 1987 to 29 February 1992.¹

The TSB, pursuant to its² procedures regarding bilateral agreements notified under Article 4,² has examined the relevant documentation and is forwarding the text of the notification to participating countries for information.³

¹The previous bilateral agreement and its extension are contained in COM.TEX/SB/1152, 1266 and 1388.

²See COM.TEX/SB/35, Annex B

³For the TSB's observation on this notification see COM.TEX/SB/1391.

*English only/Anglais seulement/Inglés solamente

The Ministry for Foreign Affairs presents its compliments to the Embassy of the Republic of Korea and has the honour to acknowledge receipt of the Embassy's note of 13 October, 1987 (KSD/87-336).

The Ministry has the honour to inform the Embassy that the terms of the Agreement initialled on February 12, 1987, concerning exports of certain textile products from the Republic of Korea to Sweden, as annexed to this note, are acceptable also to the Government of Sweden.

The Ministry confirms that the abovementioned note of the Embassy of the Republic of Korea shall, together with this reply, constitute an Agreement between the two Governments, to enter into force retroactively on July 1, 1987.

The Ministry for Foreign Affairs avails itself of this opportunity to renew to the Embassy of the Republic of Korea the assurances of its highest consideration.

Stockholm, 13 October, 1987

Embassy of the Republic
of Korea

STOCKHOLM

EMBASSY OF THE REPUBLIC OF KOREA

KSD/87-336

The Embassy of the Republic of Korea presents its compliments to the Ministry for Foreign Affairs and has the honour to refer to the negotiations held in Stockholm from November 27 to 28, 1986 and in Seoul from February 9 to 12, 1987 between the representatives of the Republic of Korea and the Kingdom of Sweden concerning trade relations in textile products, and to inform the latter that the terms of the initialled Agreement of February 12, 1987, a copy of which is hereto attached, are acceptable to the Government of the Republic of Korea.

The Embassy has further the honour to propose that, if the terms of the above-mentioned Agreement are also acceptable to the Government of the Kingdom of Sweden, this Note and the Ministry's Note in reply to that effect shall constitute an agreement between the two Governments to enter into force retroactively on July 1, 1987.

The Embassy of the Republic of Korea avails itself of this opportunity to renew to the Ministry for Foreign Affairs the assurances of its highest consideration.

Enclosure: as stated

Stockholm, October 13, 1987

AGREEMENT BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF KOREA
AND THE GOVERNMENT OF SWEDEN
CONCERNING EXPORTS OF CERTAIN TEXTILE PRODUCTS
FROM THE REPUBLIC OF KOREA TO SWEDEN

ARTICLE 1

The following Agreement has been reached having regard to the Arrangement Regarding International Trade in Textiles, bearing in mind particularly the provisions of article 4 thereof, and the provisions of GATT document L/6030.

ARTICLE 2

This Agreement shall apply for the periods specified in Annex I.

ARTICLE 3

The Government of the Republic of Korea will limit exports to Sweden of the textile products listed in Annex I to this Agreement to the group and sub-group levels set out in Annex I. The date of shipment indicated on the shipping documents shall be considered to be the date of delivery (exportation).

ARTICLE 4

- (a) This Agreement shall apply to exports from the Republic of Korea to Sweden of the textile products described in Annex I hereof of cotton, wool or man-made fibres, or blend thereof, in which any or all of those fibres in combination represent either the chief value of the fibres or 50 per cent or more by weight (or 17 per cent or more by weight of wool).
- (b) This Agreement shall also apply to the products described in Annex I hereof, which are manufactured from impregnated fabrics as defined in Annex III of this Agreement.
- (c) The classification of the products by this Agreement is based on the Nomenclature of the Customs Cooperation Council and the Swedish customs tariff (Annex II).

From the entry into force of the International Convention on the Harmonized Commodity Description and Coding System (HS) this classification will be based on the Harmonized System and on the Swedish customs tariff derived from this system (Annex II).

- (d) The origin of the products covered by this Agreement shall be determined in accordance with the rules in force in Sweden.

ARTICLE 5

The Government of Sweden will admit imports of the textile products of Korean origin listed in Annex I, provided that such imports are covered by an Export Certificate, as per specimen in Annex IV.

Such a document shall be issued by the Ministry of Trade and Industry of the Republic of Korea, be consecutively numbered, state the group number and bear an endorsement that the consignments concerned have been approved and debited to the agreed group limit for exports to Sweden for the relevant period.

ARTICLE 6

(a) If in any period of this Agreement, the group limits specified in Annex I to this Agreement are not fully utilized, the Government of the Republic of Korea may, after consultations with the Government of Sweden, during the subsequent period approve the export of additional amounts (carryover) equivalent to such shortfalls provided that such exports.

- i) are in the same group where the shortfalls occurred;
- ii) do not exceed 3 per cent of the limits for groups 5, 6cd, 8, 9, 10, A and B for the period during which the shortfalls occurred;

- iii) do not exceed 5 per cent of the limits for groups 1, 3, 4, 11b and 17 for the period during which the shortfalls occurred.
- (b) During each period of this Agreement, the Government of the Republic of Korea may, after consultations with the Government of Sweden, approve the export of amounts in excess (carry forward) of the group limits specified in Annex I to this Agreement up to 3 per cent of these limits for groups 5, 6cd, 8, 9, 10, A and B and 5 per cent for groups 1, 3, 4, 11b and 17 for the relevant period. Where specific group limits have been increased by carry forward the Government of the Republic of Korea shall inform the Government of Sweden of the carry forward quantities and debit these to the corresponding group limits which are agreed or may be agreed upon for the subsequent period.
- (c) During each period of this Agreement, the Government of the Republic of Korea may, after consultations with the Government of Sweden, approve the export of amounts in excess of the group levels specified in Annex I to this Agreement up to 3 per cent of these limits for groups 5, 6cd, 8, 9, 10, A and B and 5 per cent for groups 1, 3, 4, 11b and 17 (swing). Where specific group limits have been increased by swing a corresponding reduction shall be made in one or more of other group limits. For the purpose of calculating swing, the conversion factors in Annex I shall apply.

- (d) During each period of this Agreement, the additional export quantities resulting from carryover, carry forward and swing taken together shall, for specific groups 5, 6cd, 8, 9, 10, A and B not exceed 6 per cent of the respective agreed limit; For groups 1, 3, 4, 11b and 17 they shall not exceed 10 per cent.

ARTICLE 7

- (a) The Government of the Republic of Korea will forward to the Government of Sweden monthly statistics on a cumulative basis of the quantities of the items in the specific groups/sub-groups as listed in Annex I for which duly endorsed Export Certificates for export to Sweden have been issued. The statistics shall reach the Government of Sweden within a period of two months from the month under reference.
- (b) The Government of Sweden will forward to the Government of the Republic of Korea monthly statistics on a cumulative basis of licences issued for imports from the Republic of Korea. The statistics shall reach the Government of the Republic of Korea within a period of two months from the month under reference.

ARTICLE 8

If the information available to the Swedish authorities shows that the quantitative limit for the category of products specified in an Export Certificate has already been reached, or the unused portion of that limit is insufficient to cover the goods specified in the Export Certificate, the said authorities may refuse to admit any quantity in excess of the quantitative limit. In this event the Swedish authorities shall inform the Korean authorities as soon as possible. Should any excess quantity be permitted to enter Sweden, the authorities of the Republic of Korea shall, upon information by the Swedish authorities, deduct the overshipped quantity from the relevant level which is agreed or may be agreed upon for the following restraint period.

ARTICLE 9

- (a) Both parties regard it as essential that exports to Sweden of goods listed in Annex I are evenly spaced throughout the period of agreement taking into account normal seasonal factors, and that due consideration is given to traditional patterns of trade. Accordingly, the Government of the Republic of Korea undertakes to provide a procedure to achieve this.

- (b) If the Government of Sweden considers that as a result of the application of this Agreement there is undue concentration of exports or the possibility thereof in

any particular products, the Government of Sweden may request the Government of the Republic of Korea to consult with a view to appropriate remedial action such as a reasonable modification of this Agreement.

ARTICLE 10

The Government of the Republic of Korea and the Government of Sweden agree to consult each other, at the request of either party, when any problem arises from the implementation of this Agreement. The Governments agree furthermore to enter into consultations on a prolongation, modification or removal of the limitations before the end of the period of the Agreement.

Should a textile product, not included in this Agreement, be imported into Sweden from the Republic of Korea in such quantities as to cause a real risk of market disruption in the opinion of the Government of Sweden, the said Government may request consultations concerning that product. Both parties agree to consult as soon as possible with a view to finding a mutually acceptable solution.

In case there are divergent opinions on classifications of products at the point of entry into Sweden, between the two parties to this Agreement, the classification shall be based on information provided by the competent Swedish authorities. Should the Korean authorities request consultations concerning the classification of the product concerned

such consultations shall take place with a view to reaching agreement as soon as possible.

ARTICLE 11

The Government of the Republic of Korea and the Government of Sweden agree to collaborate with a view to taking appropriate action to avoid circumvention of limitations set out in this Agreement.

The Government of the Republic of Korea and the Government of Sweden reaffirm their willingness to strengthen this collaboration having regard to the administrative and technical procedures in force in the Republic of Korea for the implementation of this Agreement.

Where information available to the Government of Sweden constitutes clear evidence that products of Korean origin subject to specific limits established under this Agreement have been transshipped, re-routed or otherwise imported into Sweden in circumvention of this Agreement, the Government of Sweden may request the opening of consultations in accordance with article 10 herein. Where the evidence provided establishes that the provisions of this Agreement have been circumvented, the Government of the Republic of Korea undertakes to debit the appropriate specific limits for the year in which the circumvention took place or for subsequent years, the timing and scale of such debiting being decided in consultations with the Government of Sweden.

ARTICLE 12

Should it come to the attention of the Government of Sweden that textile products subject to this Agreement licenced by the Government of the Republic of Korea for export to Sweden and debited to the levels set out in Annex I have been imported into Sweden and subsequently re-exported therefrom, the Government of the Republic of Korea shall be informed and consultations may be requested in accordance with Article 10 of this Agreement.

ARTICLE 13

Either Government may terminate this Agreement before the end of the period of validity, provided that at least one hundred and twenty days' notice is given. In such event the Agreement shall come to an end on the expiry of the period of notice.

ARTICLE 14

The Annexes to this Agreement shall be considered as an integral part of it.

ARTICLE 15

This Agreement has been drawn up in two copies in the English language, each of these being equally authentic.

ANNEX I

EXPORTS OF CERTAIN TEXTILES FROM THE REPUBLIC OF KOREA

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
Group No	Description	Unit	Level for period 1.7.1987- 29.2.1988	Level for period 1.3.1988- 28.2.1989	Level for period 1.3.1989- 28.2.1990	Level for period 1.3.1990- 28.2.1991	Level for period 1.3.1991- 29.2.1992	Conversion factor (pcs/kg)
1	Stockings, understockings, socks, ankle socks, sockettes and the like, knitted or crocheted, other than ladies' stockings of continuous synthetic fibres	pairs	2,725,717	4,166,138	4,291,122	4,441,311	4,618,964	24.0
3	Night garments	pieces	98,276	150,211	154,717	160,132	166,537	3.5
4	Underwear, including singlets and vests, knitted or crocheted, other than shirts, T-shirts, night garments and tights	pieces	310,149	474,049	488,271	505,360	525,575	15.0
- 4a	- Underwear etc, men's and boys' wear	pieces	155,075	237,025	244,136	252,681	262,788	15.0
- 4b	- Underwear etc, women's and girls' wear	pieces	176,785	270,208	278,315	288,056	299,578	15.0
5	Sweaters, pullovers, slippers, waistcoats and cardigans etc, T-shirts and shirts, knitted or crocheted	pieces	3,302,872	5,002,992	5,078,037	5,166,903	5,270,241	4.5
6cd	Jackets	pieces	323,586	490,149	497,501	506,208	516,332	1.4
8	Trousers other than shorts (including worktrousers e.g. trousers with bib and braces)	pieces	405,181	615,768	628,083	642,215	658,270	2.0

2(2)

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
Group No	Description	Unit	Level for period 1.7.1987- 29.2.1988	Level for period 1.3.1988- 28.2.1989	Level for period 1.3.1989- 28.2.1990	Level for period 1.3.1990- 28.2.1991	Level for period 1.3.1991- 29.2.1992	Conversion factor (pcs/kg)
9	Costumes, dresses and skirts	pieces	162,636	247,164	252,107	257,780	264,224	2.0
- 9a	- Costumes, dresses and skirts, knitted or crocheted	pieces	35,780	54,376	55,464	56,712	58,129	2.0
- 9b	- Costumes and dresses, not knitted or crocheted	pieces	110,592	168,071	171,432	175,289	179,672	2.0
- 9c	- Skirts, not knitted or crocheted	pieces	27,648	42,018	42,858	43,822	44,918	2.0
10	Blouses	pieces	278,816	423,726	432,200	441,925	452,973	6.0
- 10a	- Blouses, knitted or crocheted	pieces	83,645	127,118	129,661	132,578	135,892	6.0
- 10b	- Blouses, not knitted or crocheted	pieces	214,688	326,268	332,794	340,282	348,789	6.0
11b	Bathing suits and trunks	pieces	73,395	112,368	116,863	-	-	15.0
A	Protective and work clothing (for industrial or occupational use; whether or not also suitable for domestic or leisure time use), rainsuits and coveralls, including sets of such garments	kg	44,231	66,998	68,003	69,193	70,577	1.0
B	Sets of matching outer garments including inter alia ski suits, and Santa Claus' suits, which are invoiced, packed and shipped together as sets (excluding costumes in group 9; suits and track suits; bathing suits in group 11b)	pieces	141,857	214,877	218,100	221,917	226,355	1.7
17	Brassières	pieces	174,791	267,160	275,175	284,806	296,198	18.0

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- a) The denomination babies' garments applies to sizes not exceeding 86 centimetres
- b) The denomination infants' wear applies to sizes not exceeding 110 centilong (children between 0-6 years old)
- c) Babies' garments, not knitted or crocheted, are not included in the export limits as from 1987-07-01 as set out in Annex I
- d) Group 6 c d, jackets, includes ladies suit jackets the outer shell of which (exclusive of sleeves, and facings or collar if any) consists of at least four panels (two in front and two at the back) sewn together lengthwise, with full front opening without a closure or with a closure other than a slide fastener (zipper)
- e) Group A covers protective and work clothing (for industrial or occupational use, whether or not also suitable for domestic or leisure time use), rainsuits and coveralls, including sets of such garments. It also includes all garments (even individually packed and shipped jackets and trousers) made of impregnated fabrics (G:CN No 59.08) where those fabrics have been impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials in accordance with Annex III of this Agreement. The impregnation must be seen by the naked eye but the fabric should not be fractured if it is manually bent around a cylinder of a diameter of 7 mm at a temperature between 15 degrees C and 30 degrees C. The impregnated fabric should not be completely embedded in artificial plastic material or covered on both sides with such material (CCCN-Chapter 39).

ANNEX II
EXPORTS OF CERTAIN TEXTILES FROM THE REPUBLIC OF KOREA TO SWEDEN

Group No (a)	Ex Swedish Statistical Classification No (CCCN) (b)	Ex Swedish Statistical Classification No (HS) (c)
1	60.03.00-,10-,90-	61.11.10-,20-,30-,90- 61.15.91-,92-,93-,99-
3	60.04.21-,25- 61.03.20- 61.04.10-	61.07.21-,22-,29-, 61.08.31-,32-,39- 61.11.10-,20-,30-,90- 62.07.21-,22-,29-, 62.08.21-,22-,29-
4	60.04.70-,80-,90-	61.07.11-,12-,19-, 61.08.21-,22-,29-, 61.09.10-, 90- 61.08.11-,19-, 61.11.10-,20-,30-,90-
-4a	60.04.70-	61.07.11-,12-,19-, 61.09.10-,90-,
-4b	60.04.80-	61.08.11-,19-, 61.08.21-,22-,29, 61.09.10-,90-,
5	60.04.10- 60.05.30-,80-,87-,99-	61.09.10-,90-, 61.05.10-,20-,90- 61.10.10-,20-,30-,90-, 61.11.10-,20-,30-,90-
6 c d	60.05.80-,812,815, ,89- 61.01.45-,003, 61.02.15-, ,99- 61.02.91 903,904 75,906,909	61.01.10-,20-,30-,90-, 61.02.10-,20-,30-,90-, 61.03.31-,32-,33-,39- 61.04.31-,32-,33-,39-, 61.11.10-,20-,30-,90-, 62.01.91-,92-,93-,99-, 62.02.91-,92-,93-,99 62.03.31-,32-,33-, ,9, 62.04., ,32-,33-,39-

EXPORTS OF CERTAIN TEXTILES FROM THE REPUBLIC OF KOREA TO SWEDEN

Group No (a)	Ex Swedish Statistical		Ex Swedish Statistical	
	Classification No(CCCN) (b)		Classification No (HS) (c)	
8	60.05.80-83-84-		61.03.41-42-43-49-	61.04.61-62-63-69-
	61.01.50-003		61.11.10-20-30-90-	
	61.02.60-, 99-		62.03.41-42-43-49-, 62.04.61-62-63-69-	
9	60.05.60-		61.04.11-12-13-19-41-42-43-44-49-51-, 52-53-59-	
	61.02. 20-,30-,40-,99-		61.11.10-20-30-90-	
			62.04.11-12-13-19-41-42-43-44-49-51-, 52-53-59-	
- 9a	60.05.60-		61.04.11-12-13-19-41-42-43-44-49-51-, 52-53-59-	
- 9b	61.02. 20-,30-,99-		61.11.10-20-30-90-	
- 9c	61.02. 40-,99-		62.04.11-12-13-19-41-42-43-44-49-51-, 52-53-59-	
10	60.05.80-,82-		62.04.51-52-53-59-	
	61.02. 50-,99-		61.06.10-20-90-, 61.11.10-20-30-90- 62.06.10-20-30-40-90-,	
- 10a	60.05.80-,82-		61.06.10-20-90-, 61.11.10-20-30-90-	
- 10b	61.02. 50-,99-		62.06.10-20-30-40-,	

EXPORTS OF CERTAIN TEXTILES FROM THE REPUBLIC OF KOREA TO SWEDEN

Group No (a)	Ex Swedish Statistical Classification No(CCCN) (b)	Ex Swedish Statistical Classification No (HS) (c)
11 b	60.05.20-,80-, 896 61.01.003, 922,904-909 61.02. 902-906,909,99-	61.11.10-,20-,30-,90-, 61.12.31-,39-,41-,49-, 62.11.11-,12-,20-
A	60.05.80-,84-, 85-, 87-, 89- 61.01.003, 006, 904-909, 95-, 972 61.02.006, 902-906, 909, 95-, 99-	61.03.21-,22-,23-,29-, 61.04.21-,22-,23-,29-, 61.13.00-, 61.14.10-,20-,30-,90-, 62.03.21-,22-,23-,29-, 62.04.21-,22-,23-,29-, 62.10.10-,20-,30-,40-,50-, 62.11.41-,42-,43-,48-, 61.11.10-,20-,30-,90-
B	60.05.80-, 87-, 89- 61.01.003, 922, 904- 909 61.02. 902-906, 909, 99-	61.03.21-,22-,23-,29-, 61.04.21-,22-,23-,29-, 61.12.20-,61.14.10-,20-,30-,90-, 62.03.21-,22-,23-,29-, 62.04.21-,22-,23-,29-, 62.11.20-,41-,42-,43-,49-, 61.11.10-,20-,30-,90-
17	61.09.20-	62.12.10-

ANNEX III

Definition of "Impregnated Fabrics"
for the purposes of Article 4

1. Fabrics of cotton, wool or man-made fibres or any blend containing one or more of those fibres in which either wool represents 17 per cent or more by weight or any or all of those fibres in combination represent 50 per cent or more by weight of the unfinished fabric shall be defined as "impregnated fabrics" where those fabrics have been impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials whatever the nature of the plastic material (compact, foam, sponge or expanded).
2. The definition does not cover:
 - (a) Fabrics which, after impregnation, coating, covering or lamination, cannot, without fracturing, be bent manually around a cylinder of a diameter of 7 mm at a temperature between 15° C and 30° C.
 - (b) Fabrics either completely embedded in artificial plastic material or coated or covered on both sides with such material.

		2. No.	
1. Exporter(name, full address, country)		<p style="text-align: center;">EXPORT CERTIFICATE</p> <p style="text-align: center;">(TEXTILE PRODUCTS)</p>	
3. Consignee(name, full address, country)			
		4. Quota Period	5. Group number
6. Place and date of shipment-Means of transport		7. Country of origin	8. Country of destination
		9. Approved and debited quantity against restraint level	
10. Marks and numbers-Number and kind of packages- DESCRIPTION OF GOODS		11. Quantity or Weight	12. FOB Value
<p>13. CERTIFICATION BY THE COMPETENT AUTHORITY</p> <p>I, the undersigned, certify that the goods described above are originating in the country shown in box No.7 in accordance with the provisions in force in Sweden and these goods have been charged against the quantitative limit established for the quota year shown in box No.4 in respect of the group shown in box No.5 by the provisions regulating trade in textile products with Sweden.</p>			
<p>14. Competent authority(name, full address, country)</p> <p style="text-align: center;">The Ministry of Trade & Industry</p> <p style="text-align: center;">170-11 Kwachon, Kyungki-do</p> <p style="text-align: center;">Republic of Korea</p>		<p>At on</p> <p style="text-align: center;">(Signature) (Stamp)</p>	