

GENERAL AGREEMENT ON

RESTRICTED

COM.TEX/SB/1615*

28 June 1991

TARIFFS AND TRADE

Special Distribution

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Articles 7 and 8

Extension and amendment of the bilateral agreement between the United States and Haiti

The Textiles Surveillance Body received a notification from the United States of an extension as amended of its agreement for the period 1 January 1990 to 31 December 1993.¹

The TSB is forwarding to participating countries the text of the notification which was made in accordance with a request made by the Textiles Committee, that agreements with non-participants be notified for information.

¹The bilateral agreement and previous amendments are contained in COM.TEX/SB/1254, 1324 and 1521.

*English only/Anglais seulement/Inglés solamente

Public Release

United States Department of State
Bureau of Business Affairs
Washington, D.C.

14 February 1991

UNITED STATES AND HAITI AMEND
BILATERAL TEXTILE AGREEMENT
BY EXCHANGE OF NOTES ON 21 JULY 1990,
21 NOVEMBER 1999 AND 28 NOVEMBER 1990

The United States and Haiti amended their bilateral textile agreement.
Texts of the notes follow:

UNITED STATES NOTE

Embassy of the
United States of America

July 21 1990

No. 260

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Haiti and has the honour to refer to the Agreement between the United States and Haiti relating to Trade in Textiles and Apparel effected by exchange of notes at Port-au-Prince on 26 September 1986, as amended (the Agreement). The Embassy further refers to consultations between representatives of our two governments held at Washington on 19 and 20 October 1989 and 14 and 15 December 1989 and to the Memorandum of Understanding signed at Washington on 15 December 1989 (the M.O.U.).

As a result of those consultations and in accord with the M.O.U. the Embassy of the United States has the honour to propose the following amendment to the Agreement.

- I. Paragraph I of the Agreement, "Agreement Term", shall be amended so that the first sentence reads "... through December 31, 1993."

II. An Annex D shall be added to the Agreement titled: "Specific limits".
The Annex shall appear as follows:

Category	Limits for: 1990	1991
331 (Cotton Gloves)	400,000 DPR.	424,000 DPR.
340/640 (Woven Shirts)	400,000 DOZ.	424,000 DOZ.
341/641 (Woven Blouses)	384,000 DOZ.	407,000 DOZ.
347/348 (Cotton Trousers)	450,000 DOZ.	477,000 DOZ.
350 (Dressing Gowns)	55,000 DOZ.	58,300 DOZ.

Category	Limits for: 1992	1993
331 (Cotton Gloves)	449,440 DPR.	476,406 DPR.
340/640 (Woven Shirts)	449,440 DOZ.	476,406 DOZ.
341/641 (Woven Blouses)	431,462 DOZ.	457,350 DOZ.
347/348 (Cotton Trousers)	505,620 DOZ.	535,957 DOZ.
350 (Dressing Gowns)	61,798 DOZ.	65,506 DOZ.

III. A new paragraph 5 shall be added to the Agreement titled: "Group III - Specific Limits (SLS)". The new paragraph shall read:

- (A) The categories in Group III are those listed in Annex D which Haiti intends to export to the United States, which are not eligible for the Caribbean Basin Textile Special Access Programme, and which are subject to specific limits.
- (B) I) Specific limits listed in Annex D do not include any adjustments permitted under this paragraph.
- II) During any agreement period, any specific limit may be exceeded by not more than six (6) per cent swing, provided that a corresponding reduction in square meter equivalent units is made in other specific limits during the same agreement period.
- (C) I) The extent to which any specific limit may be exceeded by carry forward (borrowing a portion of the corresponding specific limit from the succeeding agreement period) and/or carryover (the use of any unused yardage - shortfall - of the corresponding specific limit for the previous agreement period) is eleven (11) percent, of which carry forward shall not constitute more than six (6) percent.
- II) No carryover shall be available for application in the 1990 agreement period. No carry forward shall be available for application in the 1993 agreement period.

- (D) For the purposes of this Agreement, a shortfall in a specific limit occurs when exports of textiles or textile products of Haiti to the United States during any agreement period are below the applicable specific limit as set out in Annex D or, in the case of any limit decreased pursuant to the provisions of this paragraph, when such exports are below the specific limit as decreased.
- (E) Subject to the provisions of sub-paragraphs 5(B), 5(C), and 5(D) above, the Government of the United States may apply flexibility under this paragraph to specific limits on any category or product whenever that adjustment appears appropriate to facilitate the flow of trade and sound administration of the Agreement. To the extent that such adjustments are actually utilized they will be implemented by means of carryover and carry forward in that order. Any unused flexibility will be re-credited to the donor limit. This procedure will not prejudice the outcome of any consultations between our Governments concerning the amounts of flexibility available.
- IV. The existing paragraphs 5 through 18 will be renumbered 6 through 19. The heading for the new paragraph 6 will read: "Group IV - Other Categories and Products".
- V. Annex B shall be amended to read:

CATEGORY	ANNUAL LEVELS			
	1990,	1991,	1992,	1993
	(Cotton Gloves)	500,000	DPR.	
340/640	(Woven Shirts)	440,000	DOZ.	
341/641	(Woven Blouses)	400,000	DOZ.	
347/348	(Cotton Trousers)	800,000	DOZ.	
350	(Dressing Gowns)	120,000	DOZ.	

HAITI NOTE

Republic of Haiti
Ministry of Foreign Affairs

Embassy of the United States of America

No. EC/770

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America in Haiti and has the honour to refer to its Note No. 260 of 18 July 1990, transmitting the proposals of the US Government for the amendment to the Haitian-American Textile Agreement of 26 September 1986.

The Ministry wishes to inform this Embassy that the Government of the Republic of Haiti considers the proposed amendments to the aforementioned agreement acceptable.

However, the Embassy should note that the Haitian party has detected two errors or omissions in the proposed text.

The first concerns the allocation under Category 341/641 for 1991. While the US estimate for this category is 407,000 dozen, the Haitian estimate is 407,040 dozen for that year. This represents a loss of 40 dozen for Haiti.

The second concerns paragraph V, redefining Annex B, where the category cotton gloves appears without the numerical Code 331.

The Ministry would be grateful if the Embassy could inform it of the reaction of the US Authorities to the comments made by the Haitian party as soon as possible.

Port-au-Prince, 19 November 1990

Embassy of the United States of America
Haiti

UNITED STATES NOTE

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Haiti and has the honour to refer to the Ministry's note EC/770 dated November 19, 1990 which agrees to the U.S. Government proposed modifications of the Textile Agreement and which also refers to two errors or omissions.

The Embassy agrees with the remarks made by the Ministry of Foreign Affairs and kindly requests that a) the level for Category 341/641 read 407,040 dozen for the year 1991 instead of 407,000 dozen; b) that category Code Number 331 be inserted before the cotton gloves description in paragraph V redefining Annex B.

The Embassy of the United States of America considers that its notes and that of the Ministry of Foreign Affairs of the Republic of Haiti constitute an amendment to the Agreement between the Government of the United States of America and the Government of the Republic of Haiti.

The Embassy of the United States of America takes this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Haiti the assurances of its highest consideration.

Embassy of the United States of America
Port-au-Prince, November 28, 1990