

GENERAL AGREEMENT

RESTRICTED

COM.TEX/SB/1778*
24 August 1992

TARIFFS AND TRADE

Special Distribution

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Bilateral agreement between the United States and Colombia

The Textiles Surveillance Body received a notification from the United States of a selective agreement concluded with Colombia for the period 1 January 1992 to 31 December 1993.¹

The TSB, pursuant to its procedures regarding notifications concluded under Article 4,² has examined the relevant documentation and is forwarding the text of the notification to participating countries for their information.

¹The previous agreement contained in COM.TEX/SB/1428 expired on 31 March 1990.

²See COM.TEX/SB/35, Annex B.

* English only/Anglais seulement/Inglés solamente
92-1128

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

BILATERAL TEXTILE AGREEMENT BETWEEN
THE UNITED STATES OF AMERICA AND THE REPUBLIC OF COLOMBIA

Representatives of the Governments of the Republic of Colombia and the United States of America met in Bogota, Colombia on 30-31 January 1992, and in Washington, D.C. on 2-3 April 1992, and held discussions relating to trade in cotton poplin and broadcloth and printcloth fabrics produced or manufactured in Colombia. As a result of these discussions, the following agreement relating to trade in textiles, as defined in Annexes A and B, between the Government of the United States of America and the Government of the Republic of Colombia was reached.

1. The terms of this Agreement shall be from 1 January 1992 to 31 December 1993. The first Agreement year shall be from 1 January 1992 to 31 December 1992. The second Agreement year shall be from 1 January 1993 to 31 December 1993.
2. The products covered by the Agreement and the rate of conversion into square meters equivalent are set out in Annex A. For the purposes of this Agreement, the product shall be classified as cotton textile if the cotton component exceeds 50 per cent by weight of all component fibres thereof, unless wool equals or exceeds 36 per cent by weight of all fibres, in which case the product will be a wool textile.
3. During the terms of the Agreement, the Government of Colombia shall limit in each Agreement year exports from Colombia to the United States of the textile products listed in Annex A, to the specific limits set forth in Annex B hereto, as such limits may be adjusted in accordance with Paragraph 4. The limits set out in Annex B are without such adjustments. Exports are subject to a limit for the period in which they are exported.
4. (A) During any Agreement Year, the specific limits set out in Annex B may be increased by not more than 7 per cent (swing) provided that a corresponding reduction in square meters equivalent is made in one or more other specific limits during the same Agreement Year.

(B) In any Agreement Year, exports may exceed by a maximum of 11 per cent of any specific limit set out in Annex B, by allocating to such limit for that Agreement Year any unused portion of the corresponding limit for the previous Agreement Year (carryover) or a portion of the corresponding limit for the succeeding Agreement Year (carry forward) subject to the following conditions:
 - (1) Carryover may be utilized as available subject to Sub-paragraph 4 (B) up to 11 per cent of the receiving Agreement Year's specific limit. No carryover shall be available during the first Agreement Year.

(2) Carry forward may be utilized up to 6 per cent of the receiving Agreement Year's specific limit. Carry forward used shall be charged against the immediately following Agreement Year's specific limit. No carry forward shall be available during the last Agreement Year.

(C) For the purposes of the Agreement, a shortfall occurs when exporters of the textile product from Colombia to the United States during an Agreement Year are below the applicable specific limit as set out in Annex B. In the Agreement Year following the shortfall, such exports from Colombia to the United States may be permitted to exceed the limit applicable to that year, subject to the conditions of Sub-paragraph 4 (A), by carryover of an amount not to exceed to the actual shortfall in the previous period.

(D) The Government of Colombia shall notify the Government of the United States of the application of adjustments as available under this paragraph. Any unused carry forward will be re-credited to the following Agreement Year's limit.

5. (A) The Government of the United States may assist the Government of Colombia in implementing the limitation provisions of the Agreement by controlling its imports of the textile products covered by the Agreement.

(B) Exports from Colombia in excess of the authorized limit in any Agreement Year may be denied entry into the United States. Any such shipments denied entry may be permitted entry into the United States and charged to the applicable limit in the succeeding Agreement Year. The Government of the United States shall promptly inform the Government of Colombia of any such charges.

(C) Exports from Colombia in excess of the authorized limit in any Agreement Year, if allowed entry into the United States during that Agreement Year, will be charged to the applicable limit in the succeeding Agreement Year.

6. The Government of Colombia shall use its best efforts to space exports from Colombia to the United States of the textile products covered by the Agreement evenly throughout each Agreement Year, taking into account normal seasonal factors.

7. The Government of the United States shall promptly supply the Government of Colombia monthly data on imports of the product subject to this Agreement; and the Government of Colombia shall supply the Government of the United States with quarterly data on exports of such products from Colombia to the United States. Each Government agrees to supply promptly any other pertinent, rapidly available statistical data requested by the other Government.

8. Mutually satisfactory administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of this Agreement, including differences in points of procedure or operation.

9. The Government of the United States and the Government of Colombia agree to consult on any question arising in the implementation of this Agreement.

10. The Government of the United States and the Government of Colombia may at any time propose revisions in the terms of this Agreement. Each Government agrees to consult promptly with the other about such proposals with a view to making such revisions to this Agreement or taking such other appropriate action as may mutually agreed upon.

11. The Government of Colombia and the Government of the United States shall cooperate to avoid circumvention of this Agreement.

12. Either Government may terminate this Agreement effective at the end of any Agreement Year by written notice to the other Government to be given at least 90 days prior to the end of such Agreement Year.

13. For as long as Colombia remains a member of the Multi-fibre Arrangement and for the duration of this Agreement, the Government of the United States shall not invoke the procedures of Article 3 of the Arrangement to request restraints on the exports of the cotton products of Colombia covered by this Agreement to the United States. The Government of the United States and the Government of Colombia reserve their rights under the Arrangement with respect to textiles and textile products not covered by this Agreement.

14. Both Governments agree that in the event that a multilaterally agreed régime for the textile and apparel sector, to which both countries are signatories, such as a transitional arrangement for the integration of the textile and apparel sector into the GATT, or an extension of the Multi-fibre Arrangement, enters into force before the expiration of the bilateral Agreement, then the bilateral Agreement shall be brought into conformity with the said successor régime.

This Agreement shall enter into force upon signature by both parties.

Done in Washington, D.C., in duplicate, this third day of April 1992.

For the Government of
the United States of America

For the Government of
the Republic of Colombia

Annex A

Category	Description	Conversion Factor	Unit of Measure
314	Cotton poplin and broadcloth	1.0	M2
315	Cotton printcloth	1.0	M2

Annex B

Category	Description	Unit of Measure	Annual Growth Rate	Square Meters	
				1992	1993
314	Cotton poplin & broadcloth	M2	6%	9,000,000	9,540,000
315	cotton printcloth	M2	6%	15,500,000	16,430,000