

**GENERAL AGREEMENT ON
TARIFFS AND TRADE**

RESTRICTED

L/6022

11 July 1986

Limited Distribution

Original: Spanish

ACCESSION OF PORTUGAL AND SPAIN TO THE EUROPEAN COMMUNITY

Communication from the Delegation of Argentina

The following communication, dated 9 July 1986, has been received from the delegation of Argentina.

I wish to refer to the statement made on 8 June by the representative of the Commission of the European Communities in the Working Party examining the accession of Spain and Portugal to the European Community, on the subject of the bilateral agreement reached between the European Community and the United States regarding imports of maize and sorghum into Spain.

The representative of the European Community stated on that occasion that the said agreement was reached in the framework of bilateral negotiations conducted between the United States and the European Community under the provisions of Article XXIV:6 of the General Agreement. In view of that statement, it is desired to place on record that, in this case, the relevant provisions of the General Agreement, namely, Article XXIV and Article XXVIII, were not observed.

Argentina is the principal supplier of sorghum to the Spanish market, with an average of close to 70 per cent of Spanish imports for the three-year period 1982/84. Consequentially, Argentina enjoys the rights of principal supplier of this specific product under the provisions of Article XXVIII.

The first sentence of interpretative note 4 to paragraph 1 of Article XXVIII states that "The object of providing for the participation in the negotiations of any contracting party with a principal supplying interest, in addition to any contracting party with which the concession was initially negotiated, is to ensure that a contracting party with a larger share in the trade affected by the concession than a contracting party with which the concession was initially negotiated shall have an effective opportunity to protect the contractual right which it enjoys under this Agreement".

Thus, by not having been a party to the agreement reached, my country's opportunity to protect the contractual right it enjoys under the General Agreement has been impaired.