

# GENERAL AGREEMENT ON TARIFFS AND TRADE

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## ACCESSION OF PORTUGAL AND SPAIN TO THE EUROPEAN COMMUNITIES

### Communication from the Delegation of the European Communities

The following communication, dated 6 October 1986, has been received from the delegation of the Commission of the European Communities.

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I have the honour to refer to the communication from the delegation of Argentina circulated in document L/6022 dated 11 July 1986. This communication referred to an oral statement made in the course of a GATT Working Party meeting and, on this basis, alleged that the European Community has not observed the relevant provisions of Article XXIV and Article XXVIII of the General Agreement. Furthermore, it is stated that a contractual right of Argentina under the General Agreement has been impaired.

The European Community wishes to make it clear that the statement, attributed to its representative, that an agreement had been reached between the United States and the European Community under the provisions of Article XXIV:6 is totally incorrect. In consequence, the Community rejects the allegations of a breach of GATT provisions and impairment of Argentina's GATT rights as being unfounded.

Questions were raised in the Working Party meeting on a bilateral EEC-US arrangement relating to imports of maize and sorghum, and the Community representative made it clear that certain problems had arisen in the course of bilateral negotiations and that the arrangement in question, which is temporary in nature, had been agreed in order to allow more time for such negotiations under Article XXIV:6 to proceed. The arrangement was purely autonomous in character, relating to products for which GATT bindings have been withdrawn, and provided for possible import procedures which, should they need to be applied, would be implemented on an m.f.n. basis.

The European Community wishes to make clear that it considers that these arrangements have not in any way impaired the contractual rights of any contracting party, whether under the provisions of Article XXIV or Article XXVIII of the General Agreement.

The European Community has indicated (in document L/5936/Add.4) that it is prepared to enter into negotiations or consultations as provided for in Article XXIV:6. Argentina has expressed an interest in such negotiations and consultations have taken place between the two delegations with a view to bilateral negotiations as soon as possible.