

WORLD TRADE ORGANIZATION

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ARTICLE XXIV:6 NEGOTIATIONS

Article XXVIII:3 - Notification by Colombia

Addendum

The following communication, dated 30 June 2006, is being circulated at the request of the delegation of Colombia.

In its communication of 19 January 2004 (document G/SECRET/20), the European Communities notified the World Trade Organization and its Members of its intention to withdraw the tariff commitments in Schedule XCII Czech Republic, Schedule CXLIV Republic of Estonia, Schedule CVII Republic of Cyprus, Schedule CXLIII Republic of Latvia, Schedule CL Republic of Lithuania, Schedule LXXI Republic of Hungary, Schedule CXVII Republic of Malta, Schedule LXV Republic of Poland, Schedule XCVI Republic of Slovenia, Schedule XCIII Slovak Republic and Schedule CXL of the European Communities of 15. It further announced that "[p]ending the completion of the Article XXIV and XXVIII GATT 1994 procedures and the creation of a new schedule valid for the European Communities of 25, the commitments in the European Communities Schedule CXL would be fully respected".

The European Communities stated in its notification that the withdrawal of commitments in the above Schedules would be effective as of 1 May 2004. As a result of the new duties and other trade regulations, access for bananas imports from Colombia – under item 08030019 of European Communities Schedule CXL – to the Czech Republic, Estonia, Hungary, Lithuania, Poland, the Slovak Republic and Slovenia has been impaired.

As a Member with a substantial interest, Colombia initiated negotiations with the European Communities under Articles XXIV:6 and XXVIII of the GATT 1994 in order to obtain compensatory adjustment on account of the withdrawal of tariff concessions on item 08030019. These negotiations have not led to any compensatory adjustment to date.

Colombia therefore wishes to notify WTO Members that it will exercise its rights under Article XXVIII:3 to withdraw substantially equivalent concessions on products of interest to the European Communities as outlined in the attached table. Unless Colombia issues a further notification to Members, the modifications in question will take effect 30 days following circulation of this notification among WTO Members.

We take note of document G/L/695/Add.3 of 28 June 2006, whereby the European Communities states that it believes it desirable to provide for a further extension of six months of the period established by GATT Article XXVIII for withdrawal of substantially equivalent concessions,

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and that it will not assert that WTO Members who have submitted a claim pursuant to Article XXIV:6 of the GATT 1994 are precluded from withdrawing substantially equivalent concessions under Article XXVIII:3 of the GATT 1994 because this withdrawal occurs later than six months after the EC's withdrawal of concessions, provided that the claiming WTO Member withdraws concessions no later than 33 months after the EC's modification of concessions. Should the relevant WTO body approve extension of the time-limit for the withdrawal of the concessions referred to in Article XXVIII:3 of the GATT 1994, Colombia will suspend the action based on this notification.

Tariff Line	DESCRIPTION
2208300000	Whisky
1509100000	Virgin olive oil
1509900000	Other olive oils and their fractions, whether or not refined, but not chemically modified
6215100000	Ties, bow ties and cravats – Of silk or silk waste, not knitted
2204100000	Sparkling wine
2208202900	Other spirits obtained by distilling grape wine: cognac, brandy
2208500000	Gin and geneva
2001901000	Olives prepared or preserved by vinegar or acetic acid
2201100000	Mineral waters and aerated waters, not containing added sugar or other sweetening matter or flavoured
2005700000	Olives, prepared or preserved (otherwise than by vinegar or acetic acid), not frozen
1510000000	Other oils obtained solely from olives, and their fractions whether or not refined
6215900000	Ties, bow ties and cravats, of other textile materials, not knitted
2204210000	Wine in containers of a capacity of 2l or less
3303000000	Perfumes and toilet waters