



Council of the
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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Agreement in the form of an Exchange of Letters between the European Union and the Arab Republic of Egypt pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union



AGREEMENT
IN THE FORM OF AN EXCHANGE OF LETTERS
BETWEEN THE EUROPEAN UNION
AND THE ARAB REPUBLIC OF EGYPT
PURSUANT TO ARTICLE XXVIII
OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE (GATT) 1994
RELATING TO THE MODIFICATION OF CONCESSIONS
ON ALL THE TARIFF RATE QUOTAS INCLUDED IN THE EU SCHEDULE CLXXV
AS A CONSEQUENCE OF THE UNITED KINGDOM'S WITHDRAWAL
FROM THE EUROPEAN UNION

A. Letter from the European Union

Sir/Madam,

I have the honour of referring to the negotiations which took place in accordance with Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on tariff rate quotas included in the European Union Tariff Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union as communicated to WTO Members in Document G/SECRET/42/Add.2.

On the conclusion of the negotiations, the Arab Republic of Egypt and the European Union agreed on the following:

Without prejudice to future negotiations under Article XXVIII of the GATT 1994 and for the purposes of United Kingdom's withdrawal from the European Union only, Egypt agrees with the principle and methodology of apportioning the scheduled quantitative commitments in the form of tariff rate quotas of the European Union that included the United Kingdom whereby there is an apportioned quantity taken on by the European Union that no longer includes the United Kingdom, with the remainder of the quantity taken on by the United Kingdom.

With respect to tariff rate quota 048 (cucumbers, fresh or chilled, from 1 November to 15 May) in Document G/SECRET/42/Add.2, Egypt and the European Union agree to the following change to the scheduled commitment: the Union's volume of this *erga omnes* quota shall be adjusted to 647 tonnes.

With respect to tariff rate quota 048, the European Union will acknowledge Egypt's initial negotiating right.

The European Union and Egypt acknowledge that the European Union is continuing to conduct negotiations and consultations with other WTO Members holding negotiating or consultation rights under Article XXVIII of the GATT 1994 as a consequence of the United Kingdom's withdrawal from the Union as communicated to WTO Members. As a result of those negotiations and consultations, the European Union may consider a change to the volume set out above for tariff rate quota 048. In the event of such a change, the European Union shall consult Egypt with a view to seeking a mutually satisfactory outcome before proceeding to any such change, without prejudice to each Party's rights under Article XXVIII of the GATT 1994.

The European Union and Egypt shall notify each other of the completion of their internal procedures for the entry into force of this Agreement. This Agreement shall enter into force on the date of the last notification.

This Agreement shall be drawn up in duplicate in the Bulgarian, Czech, Croatian, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

I should be obliged if you would confirm that your Government is in agreement with the above.

I have the honour to propose that, if the above is acceptable to your Government, this letter and your confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and Egypt, including for the purposes of Article XXVIII:3(a) of the GATT 1994.

Please accept, Sir/Madam, the assurances of my highest consideration.

On behalf of the European Union

B. Letter from the Arab Republic of Egypt

Sir/Madam,

I have the honour to acknowledge the receipt of your letter of today's date, which reads as follows:

"I have the honour of referring to the negotiations which took place in accordance with Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on tariff rate quotas included in the European Union Tariff Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union as communicated to WTO Members in Document G/SECRET/42/Add.2.

On the conclusion of the negotiations, the Arab Republic of Egypt and the European Union agreed on the following:

Without prejudice to future negotiations under Article XXVIII of the GATT 1994 and for the purposes of United Kingdom's withdrawal from the European Union only, Egypt agrees with the principle and methodology of apportioning the scheduled quantitative commitments in the form of tariff rate quotas of the European Union that included the United Kingdom whereby there is an apportioned quantity taken on by the European Union that no longer includes the United Kingdom, with the remainder of the quantity taken on by the United Kingdom.

With respect to tariff rate quota 048 (cucumbers, fresh or chilled, from 1 November to 15 May) in Document G/SECRET/42/Add.2, Egypt and the European Union agree to the following change to the scheduled commitment: the European Union's volume of this *erga omnes* quota shall be adjusted to 647 tonnes.

With respect to tariff rate quota 048, the European Union will acknowledge Egypt's initial negotiating right.

The European Union and Egypt acknowledge that the European Union is continuing to conduct negotiations and consultations with other WTO Members holding negotiating or consultation rights under Article XXVIII of the GATT 1994 as a consequence of the United Kingdom's withdrawal from the Union as communicated to WTO Members. As a result of those negotiations and consultations, the European Union may consider a change to the volume set out above for tariff rate quota 048. In the event of such a change, the European Union shall consult Egypt with a view to seeking a mutually satisfactory outcome before proceeding to any such change, without prejudice to each Party's rights under Article XXVIII of the GATT 1994.

The European Union and Egypt shall notify each other of the completion of their internal procedures for the entry into force of this Agreement. This Agreement shall enter into force on the date of the last notification.

This Agreement shall be drawn up in duplicate in the Bulgarian, Czech, Croatian, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

I should be obliged if you would confirm that your Government is in agreement with the above.

I have the honour to propose that, if the above is acceptable to your Government, this letter and your confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and Egypt, including for the purposes of Article XXVIII:3(a) of the GATT 1994."

I hereby have the honour to express my Government's agreement with the above letter.

On behalf of the Arab Republic of Egypt