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#### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: Agreement between the European Union and the Kingdom of Thailand 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

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AGREEMENT  
BETWEEN THE EUROPEAN UNION  
AND THE KINGDOM OF THAILAND  
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

THE EUROPEAN UNION, of the one part,

and

THE KINGDOM OF THAILAND, of the other part,

hereinafter jointly referred to as the "Parties",

CONSIDERING that the Parties have successfully concluded the negotiations under 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 as communicated to members of the World Trade Organization ("WTO Members") in Document G/SECRET/42/Add.2,

HAVE AGREED AS FOLLOWS:

## ARTICLE 1

### Objective

The objective of this Agreement is to agree on the apportionment volumes in respect of all the tariff-rate quotas and the resulting quantitative commitments of the European Union that no longer includes the United Kingdom where the Kingdom of Thailand has negotiation and consultation rights under Article XXVIII of the GATT 1994 as specified in the letter from the European Union dated 25 February 2019.

## ARTICLE 2

### Principle and methodology of the apportionment of the tariff-rate quotas

The Kingdom of Thailand 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.

## ARTICLE 3

### Tariff-rate quotas of the European Union that no longer includes the United Kingdom

1. The Parties agree on the quantity for certain tariff-rate quotas of the European Union that no longer includes the United Kingdom as from 1 January 2021 or from the date when the United Kingdom ceases to be covered by the schedule of concessions and commitments of the European Union CLXXV, as detailed in the last column of the Annex to this Agreement.
2. This Agreement does not prejudice negotiations between the European Union and other WTO Members with rights under Article XXVIII of the GATT 1994 as regards the *erga omnes* tariff-rate quotas concerned. The European Union undertakes to consult with the Kingdom of Thailand if the result of those negotiations would change the shares set out in the document G/SECRET/42/Add.2.
3. The Annex to this Agreement shall form an integral part thereof.

## ARTICLE 4

### Final clauses

1. This Agreement shall enter into force on the first day after the date on which the Parties have notified each other of the completion of their internal procedures. It shall apply from that date.

2. This arrangement constitutes an agreement between the Parties for the purposes of Article XXVIII:3(a) and (b) of the GATT 1994.

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

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, duly authorised to this effect, have signed this Agreement.

For the European Union

For the Kingdom of Thailand

LIST OF EU'S TARIFF-RATE QUOTAS FOR THE KINGDOM OF THAILAND  
AFTER THE WITHDRAWAL OF THE UNITED KINGDOM (AS OF 1 JANUARY 2021)

	Number as per EU notification G/SECRET/42/Add.2	HS code	Description	Current concession in EU Schedule CLXXV (EU 28)	Supplying country	Final concession for the EU (tonnes)
1	029	02109939	Salted poultry meat	92 610	Kingdom of Thailand	81 968
2	052	07141000	Manioc (cassava)	5 750 000	Kingdom of Thailand	3 096 027
3	055	07142090	Sweet potatoes, other than for human consumption	5 000	Other than China	4 985
4	074	100610	Paddy Rice	7	<i>Erga omnes</i>	5
5	075	100620	Husked or brown rice	1 634	<i>Erga omnes</i>	1 416
6	076	100630	Semi-milled or wholly milled rice	63 000	<i>Erga omnes</i>	36 731

	Number as per EU notification G/SECRET/42/Add.2	HS code	Description	Current concession in EU Schedule CLXXV (EU 28)	Supplying country	Final concession for the EU (tonnes)
7	077	100630	Semi-milled or wholly milled rice	4 313	Kingdom of Thailand	3 663
8	078	100630	Semi-milled or wholly milled rice	1 200	Kingdom of Thailand	1 019
9	078	100630	Semi-milled or wholly milled rice	25 516	<i>Erga omnes</i>	22 442
10	079	10064000	Broken rice	1 000	<i>Erga omnes</i>	1 000
11	080	10064000	Broken rice	31 788	<i>Erga omnes</i>	26 581
12	081	10064000	Broken rice	100 000	<i>Erga omnes</i>	93 709
13	085	11081400	Manioc starch	8 000	<i>Erga omnes</i>	6 632
14	086	11081400	Manioc starch	2 000	<i>Erga omnes</i>	1 658
15	089	16023211	Processed chicken meat, uncooked, containing 57 % or more by weight of poultry meat or offal	340	Other than Brazil	236

	Number as per EU notification G/SECRET/42/Add.2	HS code	Description	Current concession in EU Schedule CLXXV (EU 28)	Supplying country	Final concession for the EU (tonnes)
16	090	16023219	Cooked meat of fowls of the species <i>Gallus domesticus</i>	160 033	Kingdom of Thailand	53 866
17	091	16023230	Processed chicken meat, containing 25 % or more but less than 57 % by weight of poultry meat or offal	14 000	Kingdom of Thailand	2 435
18	092	16023290	Processed chicken meat, containing less than 25 % by weight of poultry meat or offal	2 100	Kingdom of Thailand	1 940
19	093	16023921	Processed duck, geese, guinea fowl meat, uncooked, containing 57 % or more by weight of poultry meat or offal	10	Kingdom of Thailand	10
20	094	16023929	Processed duck, geese, guinea fowl meat, cooked, containing 57 % or more by weight of poultry meat or offal	13 500	Kingdom of Thailand	8 572

	Number as per EU notification G/SECRET/42/Add.2	HS code	Description	Current concession in EU Schedule CLXXV (EU 28)	Supplying country	Final concession for the EU (tonnes)
21	095	16023985	Processed duck, geese, guinea fowl meat, cooked, containing 25 % or more but less than 57 % by weight of poultry meat or offal	600	Kingdom of Thailand	300
22	096	16023985	Processed duck, geese, guinea fowl meat, cooked, containing less than 25 % by weight of poultry meat or offal	600	Kingdom of Thailand	278
23	105	19019099 19043000 19049080 19059020	Food preparations with cereals	191	<i>Erga omnes</i>	191

	Number as per EU notification G/SECRET/42/Add.2	HS code	Description	Current concession in EU Schedule CLXXV (EU 28)	Supplying country	Final concession for the EU (tonnes)
24	106	19021100 19021910 19021990 19022091 19022099 19023010 19023090 19024010 19024090	Pasta	532	<i>Erga omnes</i>	497

	Number as per EU notification G/SECRET/42/Add.2	HS code	Description	Current concession in EU Schedule CLXXV (EU 28)	Supplying country	Final concession for the EU (tonnes)
25	107	19059010 19059020 19059030 19059045 19059055 19059060 19059090	Biscuits	409	<i>Erga omnes</i>	409
26	005	03048990	Fish of the genus <i>Allocyttus</i> and of the species <i>Pseudocyttus maculatus</i>	200	<i>Erga omnes</i>	200
27	007	16042050	Prepared or preserved fish (excl. whole or in pieces): of sardines, bonito, mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicas</i> , fish of the species <i>Orcynopsis unicolor</i>	865	<i>Erga omnes</i>	631

	Number as per EU notification G/SECRET/42/Add.2	HS code	Description	Current concession in EU Schedule CLXXV (EU 28)	Supplying country	Final concession for the EU (tonnes)
28	008	16042050	Prepared or preserved fish (excl. whole or in pieces): of sardines, bonito, mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicas</i> , fish of the species <i>Orcynopsis unicolor</i>	1 410	Kingdom of Thailand	423
29	009	16042070	Prepared or preserved fish (excl. whole or in pieces): of tuna, skipjack or other fish of the genus <i>Euthynnus</i>	742	<i>Erga omnes</i>	742
30	010	16042070	Prepared or preserved fish (excl. whole or in pieces): of tuna, skipjack or other fish of the genus <i>Euthynnus</i>	1 816	Kingdom of Thailand	1 816

	Number as per EU notification G/SECRET/42/Add.2	HS code	Description	Current concession in EU Schedule CLXXV (EU 28)	Supplying country	Final concession for the EU (tonnes)
31	011	16052110	Shrimps and prawns, prepared or preserved, in immediate packings of a net content of <= 2 kg (excl. merely smoked, and in airtight containers)	500	<i>Erga omnes</i>	474
		16052190	Shrimps and prawns, prepared or preserved, in immediate packings of a net content of > 2 kg (excl. merely smoked, and in airtight containers)			
		16052900	Shrimps and prawns, prepared or preserved, in airtight containers (excl. smoked)			