Council of the European Union

PUBLIC

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LIMITE

POLCOM 35
WTO 21
AGRI 78
UD 46
UK 22

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2023/0036 (NLE)

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	Agreement between the European Union and the Republic of Chile 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 REPUBLIC OF CHILE
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,

hereinafter referred to as "the Union"

and

THE REPUBLIC OF CHILE,

hereinafter referred to as "Chile"

hereinafter jointly referred to as "the Parties",

HAVING REGARD to the negotiations which took place pursuant to 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 Union as communicated to WTO Members in document G/SECRET/42/Add.2;

HAVE AGREED AS FOLLOWS:

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ARTICLE 1

Objectives

Without prejudice to future negotiations under Article XXVIII of the GATT 1994 and for the purposes of the United Kingdom's withdrawal from the Union only, the objective of this Agreement is to agree, subject to Article 2, on the modification of concessions as communicated to WTO Members in document G/SECRET/42/Add.2 and the resulting quantitative commitments of the Union that no longer includes the United Kingdom, in respect of the tariff rate quotas for which Chile has negotiating rights under Article XXVIII of the GATT 1994.

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ARTICLE 2

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

1. In respect of the tariff rate quotas for which Chile has negotiating rights under Article XXVIII of the GATT 1994, Chile agrees with the proposed tariff rate quota quantity commitments as set out in document G/SECRET/42/Add.2 taken on by the Union after the United Kingdom's withdrawal.

2. Notwithstanding paragraph 1, in respect of tariff rate quota 020 (meat of sheep or goats, fresh, chilled or frozen), Chile and the Union agree to the following change to scheduled commitments: the Union volume of the Chile country specific allocation shall be adjusted to 2 527 tonnes.

ARTICLE 3

The Union’s ongoing negotiations under Article XXVIII of the GATT 1994

1. The Parties acknowledge that the 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.

2. As a result of those negotiations and consultations, the Union may consider a change to the shares and quantities set out in Article 2 or those in document G/SECRET/42/Add.2. In the event of such a change with regard to a prior tariff rate quota commitment of the Union for which Chile has a negotiating right, the Union shall consult Chile 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.

ARTICLE 4

Final provisions

1. This Agreement shall enter into force on the day following the date on which the Parties have notified each other of the completion of their respective internal legal procedures necessary for this purpose.

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2. This Agreement constitutes an international agreement between the Union and Chile, including 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, Irish, 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 Republic of Chile

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