

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 371 final

Brussels, 14 July 1981

Proposal for a

COUNCIL DECISION

concerning the conclusion of the Protocol for  
the accession of Colombia to the General Agree-  
ment on Tariffs and Trade

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(submitted to the Council by the Commission)

COM(81) 371 final



Explanatory Memorandum:

1. In the framework of the MTN, the Republic of Colombia submitted an application for definitive accession to the GATT. Its MTN tariff offer was presented as a contribution for its accession. This offer covered 4.1% of imports from the EEC.
2. During bilateral negotiations with the Community Colombia proposed a number of further concessions to the Community to improve its initial offer, increasing the cover rate for its imports from the EEC from 4.1% to 5.4%.
3. Despite this slight improvement Colombia's offer for its accession to the GATT is still not regarded as very satisfactory by the Community.

However, in view of Colombia's level of development and the difficulties encountered by the industrialized countries in the international economic context with the developing countries in general the Community considered that Colombia's latest tariff offers should be accepted.

On 5 November 1979, after obtaining a favourable opinion from the Article 113 Committee, the Commission initialled the results of the bilateral tariff negotiations with Colombia in the context of the latter's accession to the GATT.

4. The Colombian Congress has recently ratified its country's accession to the GATT. It is therefore necessary for the Community to approve the accession.

To this end, the Commission proposes the attached draft decision to the Council.

PROPOSAL FOR COUNCIL DECISION

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concerning the conclusion of the Protocol for the  
accession of Colombia to the General Agreement on  
Tariffs and Trade

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,  
and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Republic of Colombia has entered into negotiations with the  
European Economic Community and with the other Contracting Parties to the  
General Agreement on Tariffs and Trade with a view to its accession to that  
General Agreement;

Whereas the outcome of these negotiations is acceptable to the Community,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol for the accession of Colombia to the General Agreement on  
Tariffs and Trade is hereby approved on behalf of the European Economic  
Community.

The text of the Protocol is annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person  
empowered to sign the Protocol in order to bind the Community.

Done at Brussels,

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PROTOCOL FOR THE ACCESSION OF COLOMBIA  
TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The Governments which are Contracting Parties to the General Agreement on Tariffs and Trade (hereinafter referred to as "Contracting Parties" and "the General Agreement", respectively), The European Economic Community and the Government of Colombia (hereinafter referred to as "Colombia),

Having regard to the results of the negotiations directed towards the accession of Colombia to the General Agreement,

Have through their representatives agreed as follows:

Part One - General

1. Colombia shall, upon entry into force of this Protocol pursuant to paragraph 6, become a Contracting Party to the General Agreement, as defined in Article XXII thereof, and shall apply to Contracting Parties provisionally and subject to this Protocol:

- a) Parts I, III and IV of the General Agreement, and
- b) Part II of the General Agreement to the fullest extent not inconsistent with its legislation existing on the date of this Protocol.

The obligations incorporated in paragraph 1 of Article 1 by reference to Article III and those incorporated in paragraph 2(b) of Article II by reference to Article VI of the General Agreement shall be considered as falling within Part II for the purpose of this paragraph.

2. a) The provisions of the General Agreement to be applied to Contracting Parties by Colombia shall, except as otherwise provided in this Protocol, be the provisions contained in the text annexed to the Final Act of the second session of the Preparatory Committee of the United Nations Conference on Trade and Employment, as rectified, amended or otherwise modified by such instruments as may have become effective on the day on which Colombia becomes a Contracting Party.

b) In each case in which Article V(6), Article VII(4)(d) and Article X(3)(c) of the General Agreement refer to the date of that Agreement, the applicable date in respect of Colombia shall be the date of this Protocol.

#### Part Two - Schedule

3. The schedule in the Annex shall, upon the entry into force of this Protocol, become a schedule to the General Agreement relating to Colombia.

4. a) In each case in which Article II(1) of the General Agreement refers to the date of that Agreement, the applicable date in respect of each product which is the subject of a concession provided for in the schedule annexed to this Protocol shall be the date of this Protocol.

b) For the purpose of the reference in Article II(6)(a) of the General Agreement to the date of that Agreement, the applicable date in respect of the schedule annexed to this Protocol shall be the date of this Protocol.

#### Part Three - Final Provisions

5. This Protocol shall be deposited with the Director-General to the Contracting Parties. It shall be open for signature by Colombia until 31 December 1980. It shall also be open for signature by Contracting Parties and by the European Economic Community.

6. This Protocol shall enter into force on the 30th day following the day upon which it shall have been signed by Colombia.

7. Colombia, having become a Contracting Party to the General Agreement pursuant to paragraph 1 of this Protocol, may accede to the General Agreement upon the applicable terms of this Protocol by deposit of an instrument of accession with the Director-General. Such accession shall take effect on the day on which the General Agreement enters into force pursuant to Article XXVI or on the 30th day following the day of the deposit of the instrument of accession, whichever is the later. Accession to the General Agreement pursuant to this paragraph shall, for the purposes of Article XXXII(2) of that Agreement, be regarded as acceptance of the Agreement pursuant to Article XXVI(4) thereof.

8. Colombia may withdraw its provisional application of the General Agreement prior to its accession thereto pursuant to paragraph 7 and such withdrawal shall take effect on the 60th day following the day on which written notice thereof is received by the Director-General.

9. The Director-General shall promptly furnish a certified copy of this Protocol and a notification of each signature thereto, pursuant to paragraph 5, to each Contracting Party, to the European Economic Community, to Colombia and to each government which shall have acceded provisionally to the General Agreement.

10. This Protocol shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at Geneva this twenty-eighth day of November one thousand nine hundred and seventy-nine, in a single copy, in the English, French and Spanish languages, except as otherwise specified with respect to the schedule annexed hereto, all three texts being authentic.

ANNEX

SCHEDULE LXXXVI - COLOMBIA

(The schedule may be consulted at the GATT Secretariat  
in Geneva)