

Official Journal

of the European Communities

ISSN 0378-6978

L 73

Volume 39

21 March 1996

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

.....

II *Acts whose publication is not obligatory*

Council

96/207/EC:

- ★ Council Decision of 22 December 1995 on the provisional application of two Agreements in the form of Agreed Minutes between the European Community and the Socialist Republic of Vietnam on trade in textile and clothing products 1

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 December 1995

on the provisional application of two Agreements in the form of Agreed Minutes between the European Community and the Socialist Republic of Vietnam on trade in textile and clothing products

(96/207/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community and in particular Article 113 in conjunction with Article 228 (2), first sentence, thereof,

Having regard to the proposal from the Commission,

Whereas the Commission has negotiated on behalf of the European Community two Agreements in the form of Agreed Minutes to amend the existing bilateral Agreement between the European Economic Community and the Socialist Republic of Vietnam on trade in textile and clothing products initialled on 15 December 1992 as modified by the Agreement in the form of an exchange of letters initialled on 20 December 1994;

Whereas these bilateral Agreements which were initialled on 11 November 1993 and 1 August 1995 should be applied on a provisional basis, pending the completion of procedures required for their conclusion, subject to reciprocal provisional application by the Socialist Republic of Vietnam,

Sole Article

The Agreements in the form of Agreed Minutes between the European Community and the Socialist Republic of Vietnam amending the Agreement between the European Economic Community and the Socialist Republic of Vietnam on trade in textile and clothing products shall be applied on a provisional basis, pending their formal conclusion, subject to reciprocal provisional application by the Socialist Republic of Vietnam.

The text of these Agreements in the form of Agreed Minutes is attached to this Decision.

Done at Brussels, 22 December 1995.

For the Council

The President

L. ATIENZA SERNA

AGREED MINUTE

A delegation from the European Communities held talks with a delegation from the Socialist Republic of Vietnam in Brussels on 1 August 1995 on certain provisions of Protocol D to the textiles Agreement initialled on 15 December 1992, as amended by the Agreement in the form of an exchange of letters initialled on 20 December 1994.

During these talks both delegations approved the contents of the list of traditional hand-made Vietnamese folklore products referred to in paragraph 1(c) of Protocol D to the Agreement.

This list is attached in the Annex to this Minute.

Brussels,

*For the Government of the
Socialist Republic of Vietnam*

*For the Council of the
European Communities*

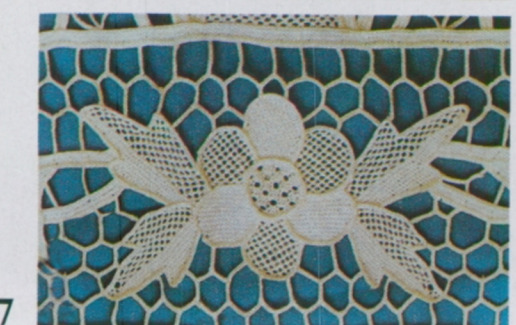
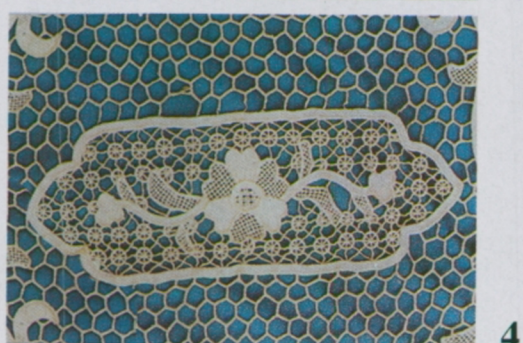
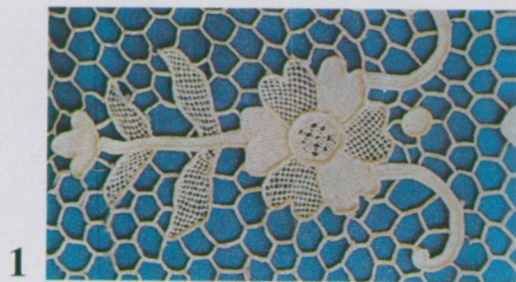
**List of traditional folklore products of Vietnam made by hand referred to in paragraph 1 (c)
of Protocol D**

Products	Denomination of the products	Photograph No	Categories for non-folklore products	CN codes 1995
1. Products of hand-made lace	Lace in the piece	A 1,2,3,4,5,6,7,8	62	5804 30 00
	Table linen:	A 9, 10, 11	39	6302 51 10
	— traycloths			6302 51 90
	— place mats			6302 53 90
	— doilies		118	ex 6302 59 00
	— table centres			6302 52 00
				ex 6302 59 00
2. Products largely embroidered by hand	Table linen:	B 1 to B 25	39	6302 51 10
	— tablecloths		118	6302 51 90
	— doilies			6302 53 90
	— traycloths			ex 6302 59 00
	— place mats			6302 52 00
		B 26 to B 27	20	ex 6302 59 00
	Bedlinen:			6302 31 10
	— pillow cases			6302 31 90
	— bed sheets			6302 32 90
			118	6302 39 90
				6302 39 10
				6302 39 30
3. Open work hand-knitted or hand-crocheted products other than garments	Table linen:	C 1 to C 6	67	6302 40 00
	— traycloths			
	— table cloths			
	— doilies			
4. Hand-made needle point tapestry		D 1 to D 4	60	5805 00 00
5. Woven blouses, shirt-blouses dressing gowns, largely embroidered by hand		E 1 to E 4	7	6206 20 00
				6206 30 00
				6206 40 00
			159	6206 10 00
			161	6206 90 10
				6206 90 90
			18	6207 91 90
				6207 92 00
				6207 99 00

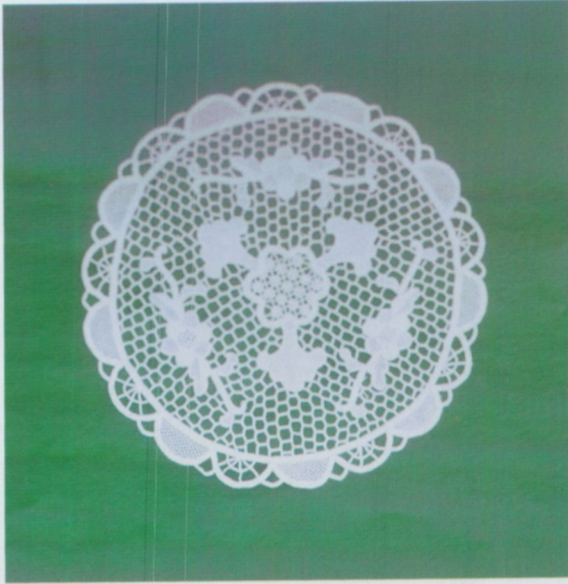
Products	Denomination of the products	Photograph No	Categories for non-folklore products	CN codes 1995
6. Open work crocheted garments entirely made by hand	Pullovers	F 1	5	6110 10 10
				6110 10 91
				6110 10 95
				6110 10 98
				6110 20 99
				6110 30 99
			156	ex 6110 90 90
			157	6110 90 10
				ex 6110 90 90
7. Hand-knotted tapestry		G 1 to G 2	40	6304 92 00
				6304 93 00
				6304 99 00
8. Woven products with large hand-painted motifs	Table linen: — table cloths — doilies — traycloths — place mats	H 1 to H 2	39	6302 51 10
				6302 51 90
				6302 53 90
				ex 6302 59 00
			118	6302 52 00
				ex 6302 59 00
9. Woven blouses and shirt-blouses with large hand-painted motifs		I	7	6206 20 00
				6206 30 00
				6206 40 00
			159	6206 10 00
			161	6206 90 10
				6206 90 90

It is understood that the garments and products as illustrated in photos F 1, H 1, H 2 and I are hand-crocheted and woven products representative of the Vietnamese craft industry.

A



A



9



10



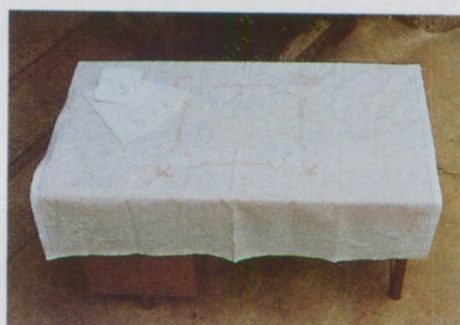
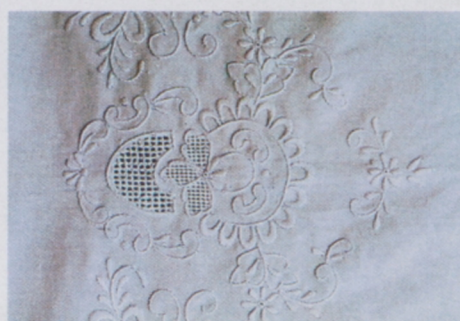
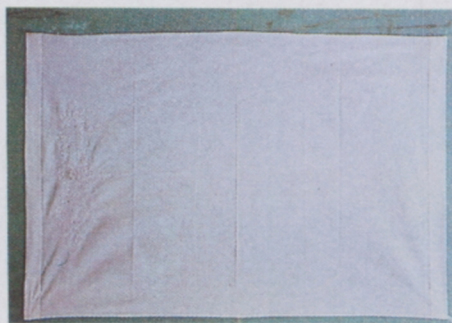
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B

1



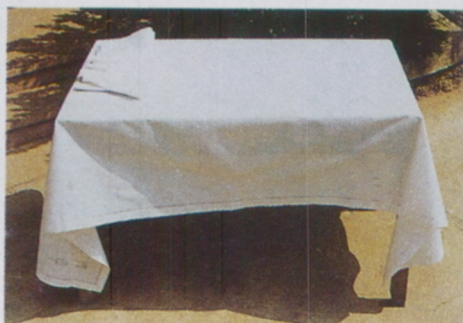
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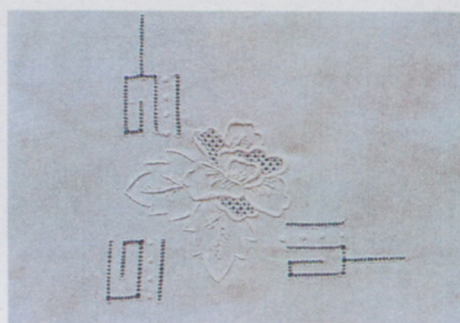
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4



5





6



8



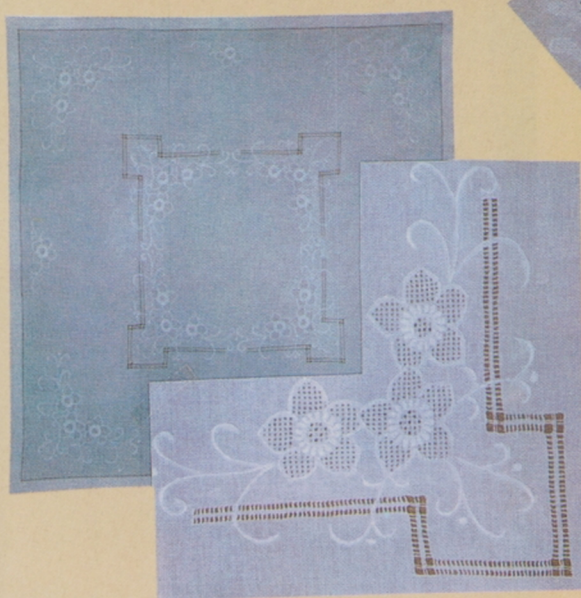
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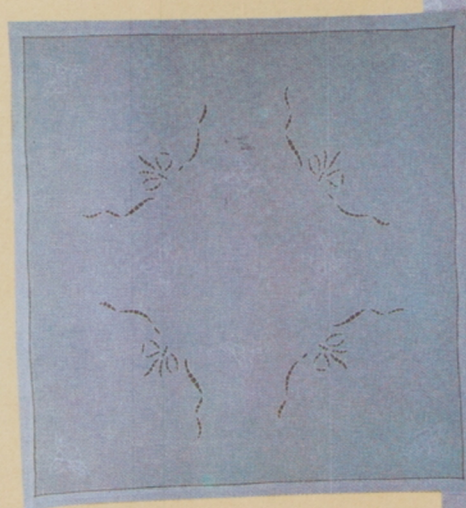
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B

B



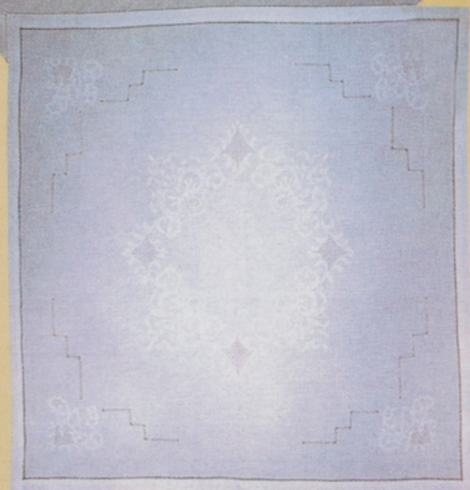
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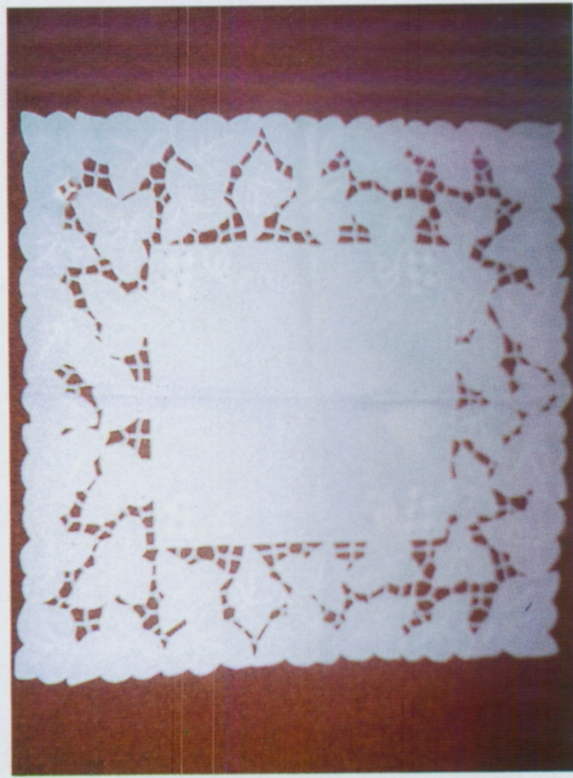


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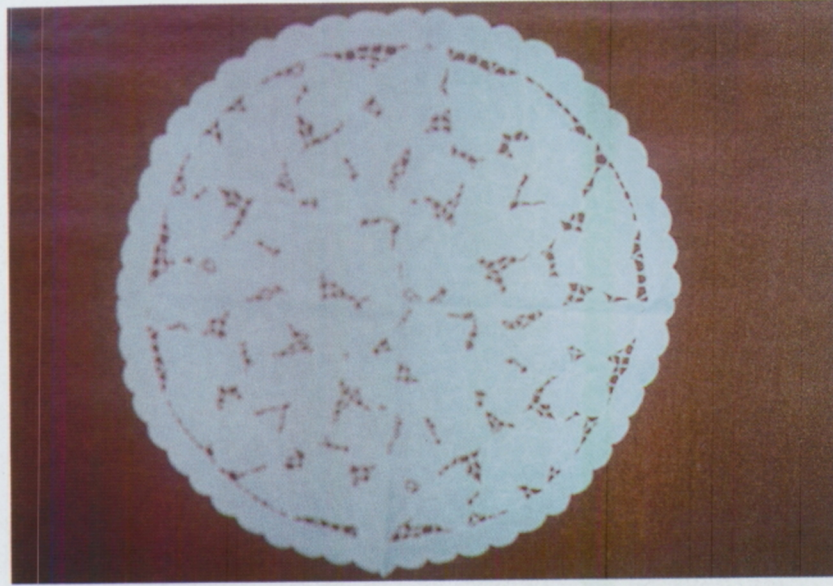


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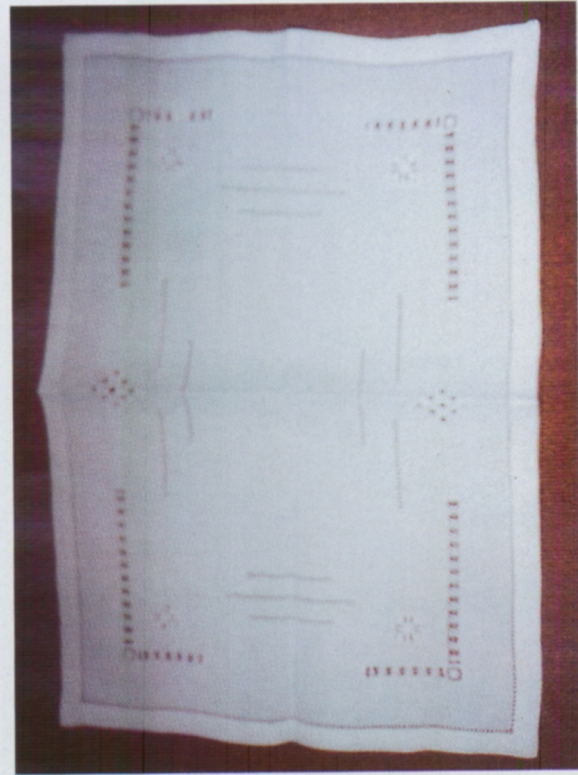




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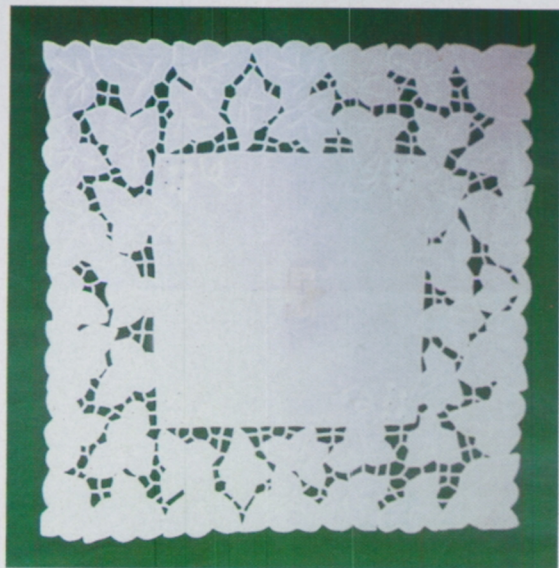
B



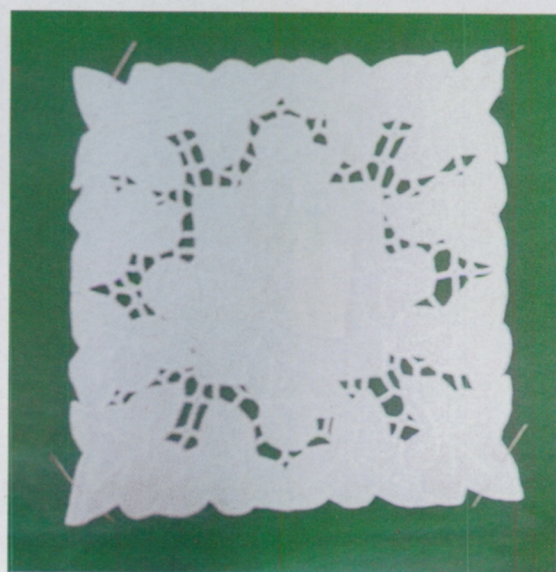
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14

B



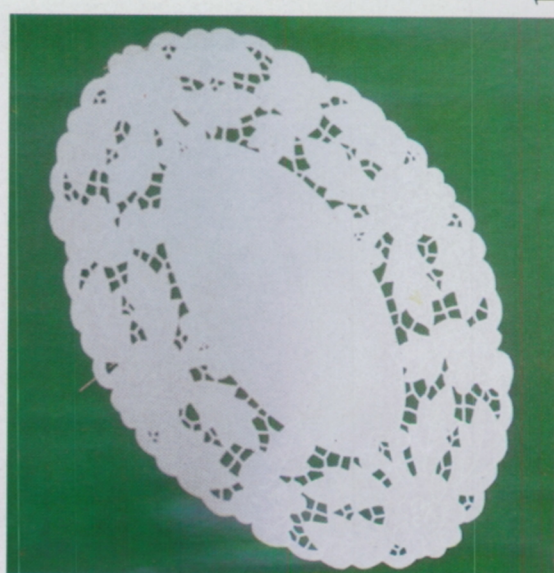
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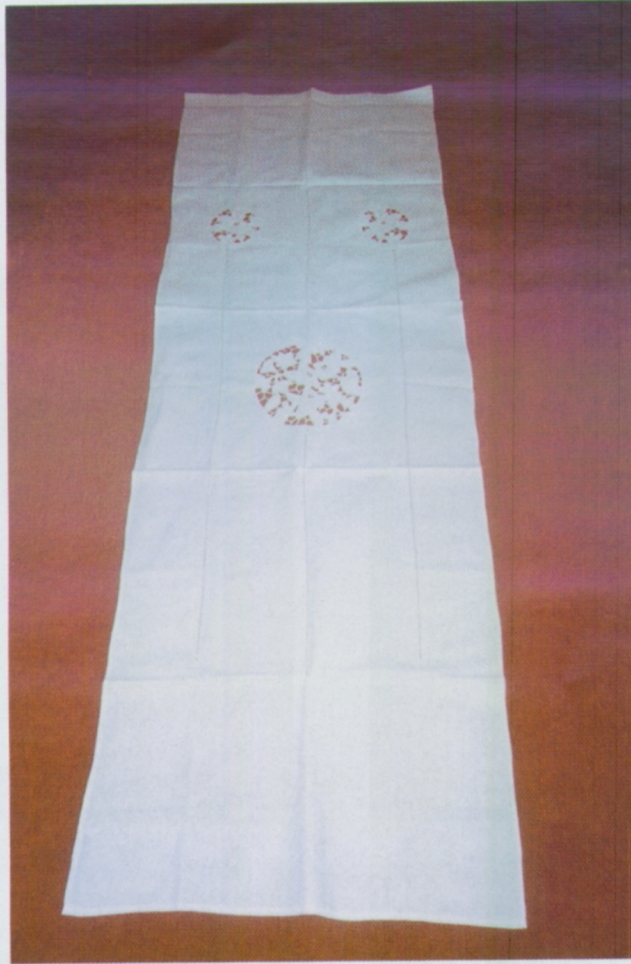


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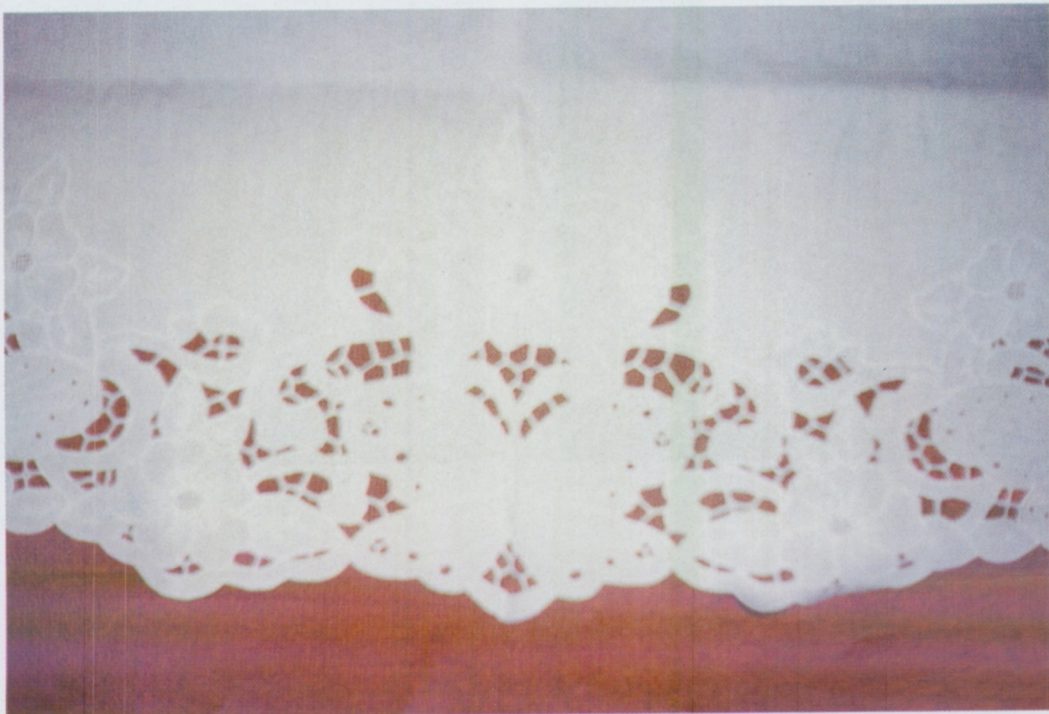


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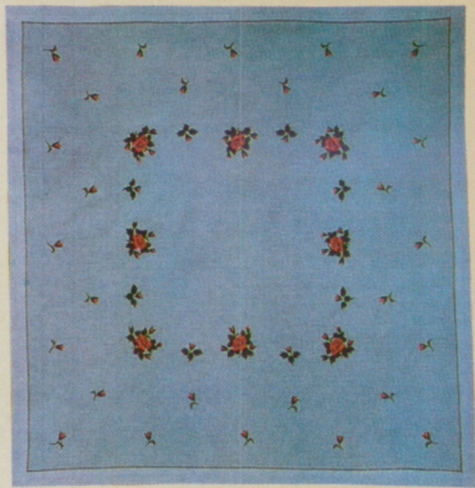
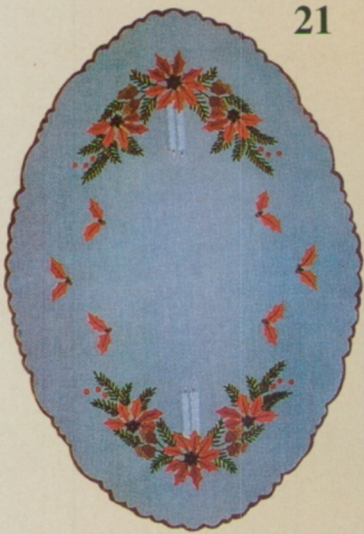
B



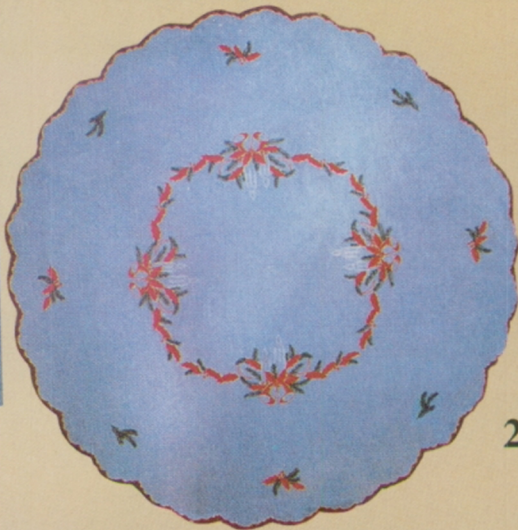
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20



LP 06



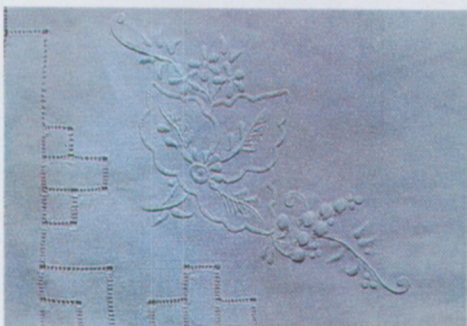
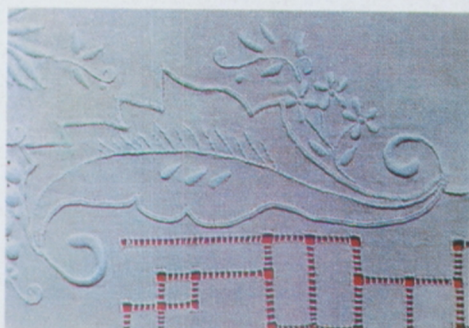
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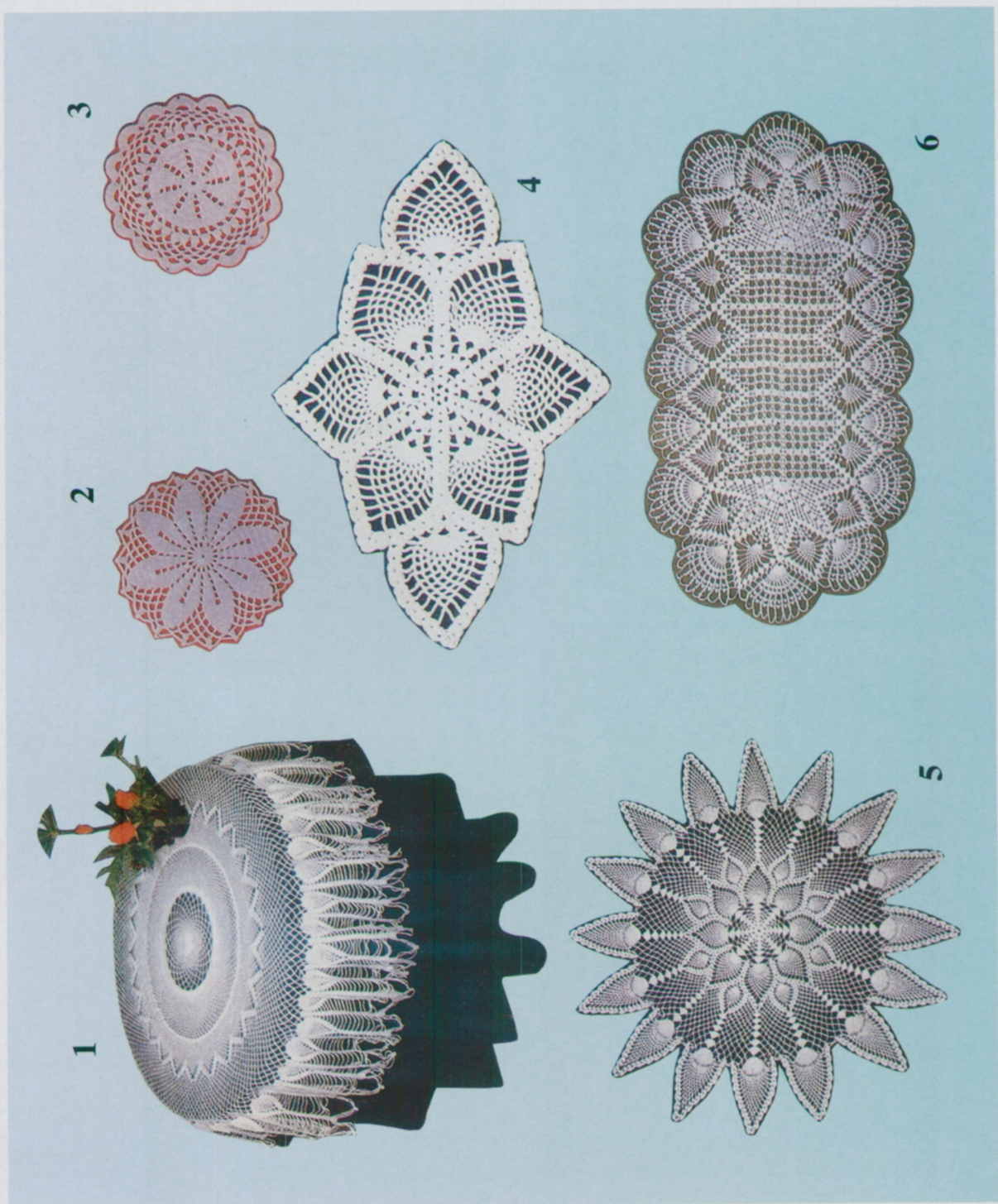


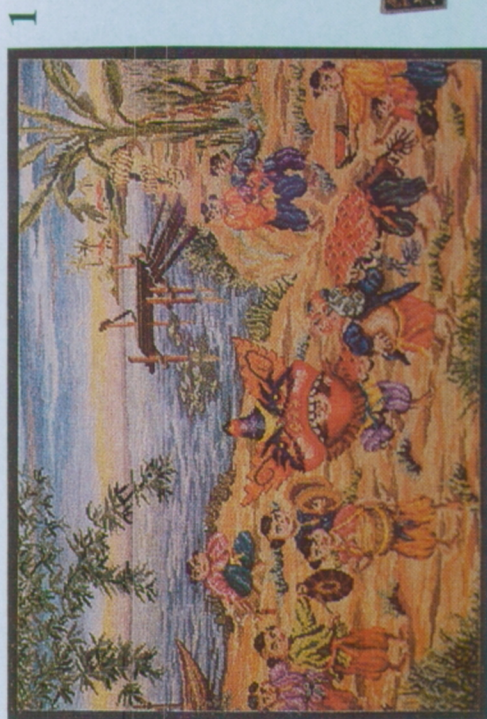
26



27







1



2



4



(12 x 14,5)

3



(26 x 34)

1



2



3



4



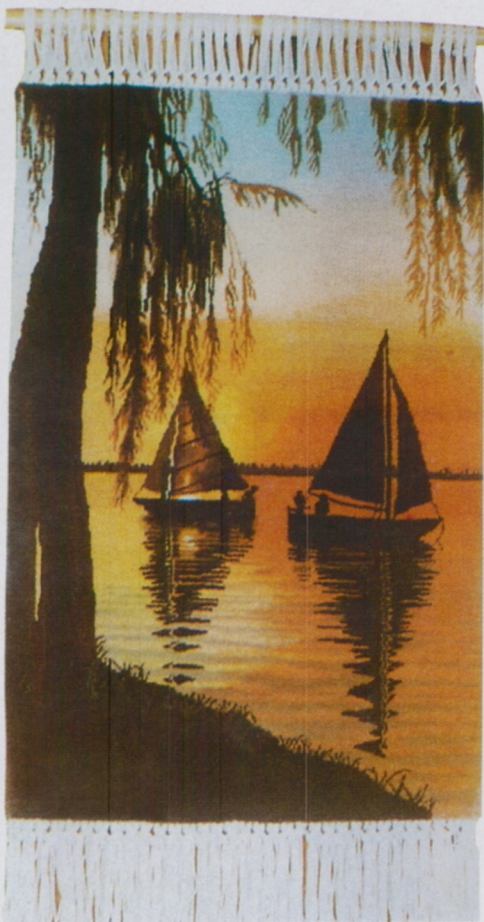
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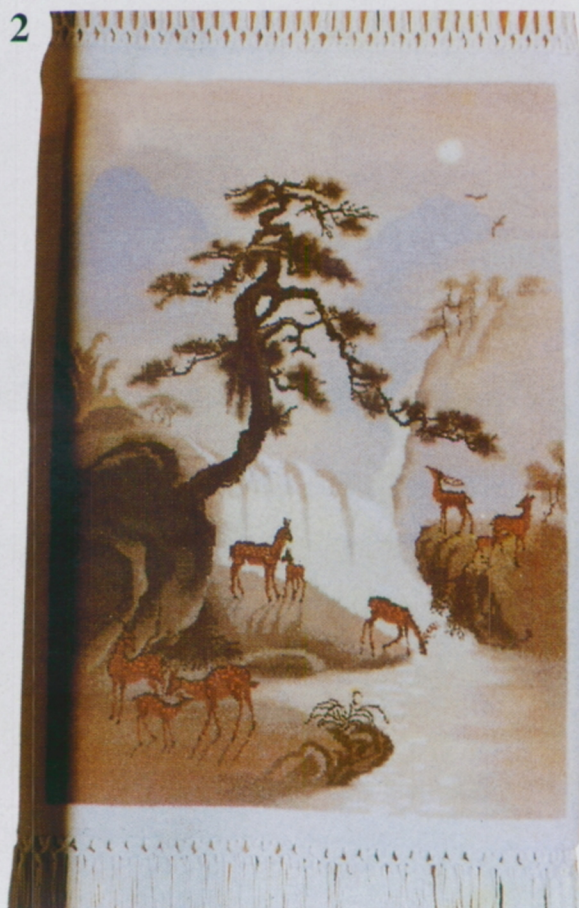
1

G

1



2



H



1



2

I



1

AGREED MINUTE No 5

In the context of the Agreement between the European Economic Community and the Socialist Republic of Vietnam on trade in textile products, initialled at Brussels on 15 December 1992, the Parties agreed that

‘Vietnam exports of cottage-industry fabrics woven on hand- or foot-operated looms, garments or other made-up articles obtained manually from such fabrics and of traditional folklore handicraft products shall not be subject to quantitative limits, provided that these products originating in Vietnam meet the conditions laid down in Protocol D annexed to the present Agreed Minute’.

*For the Government of the
Socialist Republic of Vietnam*

*For the Council of the
European Economic Community*

PROTOCOL D

annexed to Agreed Minute No 5

Cottage industry and folklore products originating in Vietnam

1. The exemption provided for in Agreed Minute No 5 in respect of cottage industry products shall apply to the following types of product only:
 - (a) fabrics woven on looms operated solely by hand or foot, being fabrics of a kind traditionally made in the cottage industry of Vietnam;
 - (b) garments or other textile articles of a kind traditionally made in the cottage industry of Vietnam obtained manually from the fabrics referred to above and sewn exclusively by hand without the aid of any machine;
 - (c) traditional folklore products of Vietnam made by hand, in a list to be agreed between the Community and Vietnam.

Exemption shall be granted only in respect of products covered by a certificate conforming to the specimen attached to this Protocol and issued by the competent authorities in Vietnam. These certificates must indicate the reasons justifying their issuance; the competent authorities of the Community will accept them after having checked that the products concerned have fulfilled the conditions established in this Protocol. The certificates concerning the products envisaged in indent (c) must bear a stamp 'FOLKLORE' clearly marked. In the case of a difference of opinion between the Parties concerning the nature of these products, consultations shall be held within one month in order to resolve these differences.

Should imports of any product covered by this Protocol reach proportions liable to cause problems within the Community, consultations with Vietnam shall be initiated as soon as possible, with a view to resolving the situation by the adoption, if necessary, of a quantitative limit, in accordance with the procedure laid down in Article 17 of this Agreement.

2. The provisions of Titles IV and V of Protocol A shall apply *mutatis mutandis* to the products covered by paragraph 1 of this Protocol.
-

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)		ORIGINAL		2 No	
		CERTIFICATE in regard to HANDLOOMS, TEXTILE HANDICRAFTS and TRADITIONAL TEXTILE PRODUCTS, OF THE COTTAGE INDUSTRY, issued in conformity with and under the conditions regulating trade in textile products with the European Community			
3 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)		CERTIFICAT relatif aux TISSUS TISSÉS SUR MÉTIERS À MAIN, aux PRODUITS TEXTILES FAITS À LA MAIN, et aux PRODUITS TEXTILES RELEVANT DU FOLKLORE TRADITIONNEL, DE FABRICATION ARTISANALE, délivré en conformité avec et sous les conditions régissant les échanges de produits textiles avec la Communauté européenne			
		4 Country of origin Pays d'origine		5 Country of destination Pays de destination	
6 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport		7 Supplementary details Données supplémentaires			
8 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DÉSIGNATION DES MARCHANDISES			9 Quantity Quantité		10 FOB value ⁽¹⁾ Valeur fob ⁽¹⁾
11 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE					
I, the undersigned, certify that the consignment described above includes only the following textile products of the cottage industry of the country shown in box 4: (a) fabrics woven on looms operated solely by hand or foot (handlooms) ⁽²⁾ (b) garments or other textile articles obtained manually from the fabrics described under (a) and sewn solely by hand without the aid of any machine (handicrafts) ⁽²⁾ (c) traditional folklore handicraft textile products made by hand, as defined in the list agreed between the European Community and the country shown in box 4. Je soussigné certifie que l'envoi décrit ci-dessus contient exclusivement les produits textiles suivants relevant de la fabrication artisanale du pays figurant dans la case 4: a) tissus tissés sur des métiers actionnés à la main ou au pied (handlooms) ⁽²⁾ b) vêtements ou autres articles textiles obtenus manuellement à partir de tissus décrits sous a) et cousus uniquement à la main sans l'aide d'une machine (handicrafts) ⁽²⁾ c) produits textiles relevant du folklore traditionnel fabriqués à la main, comme définis dans la liste convenue entre la Communauté européenne et le pays indiqué dans la case 4.					
12 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)			At-À on-le		
			Signature Stamp-Cachet		

(1) In the currency of the sale contract. — Dans la monnaie du contrat de vente.
(2) Delete as appropriate. — Biffer la (les) mention(s) inutile(s).