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English edition

Legislation

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2021/990

of 7 June 2021

on the conclusion, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Republic of Cuba 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 COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with point (a)(v) of the second subparagraph of Article 218(6) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) On 15 June 2018 the Council authorised the Commission to open negotiations pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 on the apportionment of the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the Union.
- (2) Negotiations with the Republic of Cuba were concluded on 3 July 2020 with the initialling of an Agreement in the form of an Exchange of Letters between the European Union and the Republic of Cuba 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 Agreement').
- (3) The Agreement was signed on behalf of the Union on 11 March 2021, subject to its conclusion at a later date, in accordance with Council Decision (EU) 2020/1484 ⁽¹⁾.
- (4) The Agreement should be approved,

⁽¹⁾ Council Decision (EU) 2020/1484 of 13 October 2020 on the signing, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Republic of Cuba 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 (OJ L 343, 16.10.2020, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The Agreement in the form of an Exchange of Letters between the European Union and the Republic of Cuba 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 is hereby approved on behalf of the Union ⁽²⁾.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in the Agreement ⁽³⁾.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 7 June 2021.

For the Council
The President
F. VAN DUNEM

⁽²⁾ See page 3 of this Official Journal.

⁽³⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

**AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS BETWEEN THE EUROPEAN UNION
AND THE REPUBLIC OF CUBA 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

Dear Madam,

Following 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 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, Cuba and the European Union agree to conclude the negotiations on the following basis:

Cuba 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.

In respect of the tariff-rate quotas where Cuba has negotiation or consultation rights under Article XXVIII of the GATT, Cuba expresses that it agrees and is satisfied with the proposed apportionment as set out in document G/SECRET/42/Add.2 and the resulting quantitative commitments taken on by the European Union that no longer includes the United Kingdom.

The European Union and Cuba 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. It shall apply from that date or from the date when the United Kingdom ceases to be covered by the schedule of concessions and commitments of the European Union CLXXV, whichever the latest.

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 Cuba, including for the purposes of Article XXVIII:3(a) and (b) of the GATT 1994.

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

Съставено в Брюксел на
 Hecho en Bruselas, el
 V Bruselu dne
 Udfærdiget i Bruxelles, den
 Geschehen zu Brüssel am
 Brüssel,
 Έγινε στις Βρυξέλλες, στις
 Done at Brussels,
 Fait à Bruxelles, le
 Sastavljeno u Bruxellesu
 Fatto a Bruxelles, addì
 Briselē,
 Priimta Briuselyje,
 Kelt Brüsszelben,
 Magħmul fi Brussell,
 Gedaan te Brussel,
 Sporządzono w Brukseli, dnia
 Feito em Bruxelas,
 Întocmit la Bruxelles,
 V Bruseli
 V Bruslju,
 Tehty Brysselissä
 Utfärdat i Bryssel den

11 -03- 2021

За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europejską uniję
 Per l'Unione europea
 Eiropas Savienības vārdā –
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Għall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

Nuno Brito

B. Letter from Cuba

Sir,

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

'Following 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 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, Cuba and the European Union agree to conclude the negotiations on the following basis:

Cuba 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.

In respect of the tariff-rate quotas where Cuba has negotiation or consultation rights under Article XXVIII of the GATT, Cuba expresses that it agrees and is satisfied with the proposed apportionment as set out in document G/SECRET/42/Add.2 and the resulting quantitative commitments taken on by the European Union that no longer includes the United Kingdom.

The European Union and Cuba 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. It shall apply from that date or from the date when the United Kingdom ceases to be covered by the schedule of concessions and commitments of the European Union CLXXV, whichever the latest.

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 Cuba, including for the purposes of Article XXVIII:3(a) and (b) of the GATT 1994.'

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

Hecho en Bruselas, el
Съставено в Брюксел на
V Bruselu dne
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Brüssel,
Έγινε στις Βρυξέλλες, στις
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Întocmit la Bruxelles,
V Bruseli
V Bruslju,
Tehty Brysselissä
Utfärdat i Bryssel den

11-03-2021

Por la República de Cuba
За Република Куба
Za Kubánskou republiku
For Republikken Cuba
Für die Republik Kuba
Kuuba Vabariigi nimel
Για την Δημοκρατία της Κούβας
For the Republic of Cuba
Pour la République de Cuba
Za Republiku Kubu
Per la Repubblica di Cuba
Kubas Republikas vārdā —
Kubos Respublikos vardu
A Kubai Köztársaság nevében
Għar-Repubblika ta' Kuba
Voor de Republiek Cuba
W imieniu Republiki Kuby
Pela República de Cuba
Pentru Republica Cuba
Za Kubánsku republiku
Za Republiko Kubo
Kuuban tasavallan puolesta
För Republiken Kuba

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