

No. 20836

**UNITED STATES OF AMERICA
and
ROMANIA**

Exchange of letters constituting a trade agreement, reached on the Tokyo Round of the Multilateral Trade Negotiations (with related letters dated 30 September 1980). Bucharest, 2 March 1979, and Washington, 8 November 1979

Authentic text: English.

Registered by the United States of America on 1 March 1982.

**ÉTATS-UNIS D'AMÉRIQUE
et
ROUMANIE**

Échange de lettres constituant un accord commercial convenu lors des négociations commerciales multilatérales dites de Tokyo (avec lettres connexes en date du 30 septembre 1980). Bucarest, 2 mars 1979, et Washington, 8 novembre 1979

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 1^{er} mars 1982.

EXCHANGE OF LETTERS CONSTITUTING A TRADE AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
ROMANIA, REACHED ON THE TOKYO ROUND OF THE
MULTILATERAL TRADE NEGOTIATIONS

I

EMBASSY OF THE UNITED STATES OF AMERICA
BUCHAREST, ROMANIA

March 2, 1979

Dear Mr. Fota:

Mindful of the Socialist Republic of Romania's status as a developing country, and in reference to the principle of special and differential treatment for developing countries, I have the pleasure to inform you that the Government of the United States of America agrees to the tariff concessions on those items listed in the attachment to this letter which are principally supplied to the United States by Romania. In addition to these tariff concessions negotiated bilaterally, Romania as a developing country will benefit from the tariff concessions granted by the United States to countries participating in the Tokyo Round of the Multilateral Trade Negotiations. A definitive list of these concessions will be made available as soon as the United States has completed final adjustments of its global offer in the light of negotiations currently being completed with a number of trading partners.

The United States wishes to express the mutual understanding that the extension of tariff concessions to Romania is contingent upon a successful conclusion of the Tokyo Round of the Multilateral Trade Negotiations.

Sincerely,

[Signed]

DOUGLAS W. McMINN
Executive Assistant to the
Deputy Special Trade Representative
Office of the Special Representative
for Trade Negotiations
Executive Office of the President
Washington, D.C.

Attachment

Mr. Constantin Fota
Director
Ministry of Foreign and International
Economic Cooperation
Bucharest, Romania

¹ Came into force on 30 September 1980, with retroactive effect from 1 January 1980, in accordance with the provisions of the related letters.

U.S. COMMITMENTS TO ROMANIA
(Items principally supplied by Romania)

<i>TSUS #</i>	<i>Description</i>	<i>Offer</i>
306.43	Camel hair, scoured	4.2
363.30	Sheets and pillowcases, not ornamented	7.6
366.75	Cotton damask furnishings nes, not orn.	7.2
380.0015	Men's and boys' cotton-knit play-, sun-suits, etc., ornamented	14.0
380.0036	Men's and boys' cotton outerwear nes, knit, ornamented, etc.	14.0
380.0660	Men's and boys' cotton-knit trousers, etc., not ornamented	16.5
380.33	Men's and boys' cotton vests, not ornamented, not knit, not over \$2	8.0
382.0270	Women's, girls', infants' wool wearing apparel nes, not knit, ornamented	17.0
382.0411	Women's, girls', infants' knit culottes of man-made fiber, ornamented	17.0
405.45	Sodium benzoate	8.2
407.12	Salicylic acid and its salts	8.7
407.30	Antipyrine	7.2
542.31	Ordinary glass over 16 oz. nov. 28 oz. sq. ft., nov. 40 united inches	6.4
542.33	Ordinary glass over 16 oz. nov. 28 oz. sq. ft., over 40 nov. 60 united inches	7.5
542.35	Ordinary glass over 16 oz. nov. 28 oz. sq. ft., over 60 nov. 100 united inches	8.2
542.44	Ordinary glass over 28 oz. sq. ft., ov 2.2/3 nov. 7 sq. ft. in.	5.4
546.40	Glass smokers articles, nes, valued not over \$1 each	9.0

II

REPUBLICA SOCIALISTĂ ROMÂNIA

MINISTERUL COMERȚULUI EXTERIOR ȘI COOPERĂRII ECONOMICE INTERNAȚIONALE

București,¹ March 2, 1979

Dear Mr. Culbert,

I am pleased to inform you that the Romanian authorities have studied with due attention the indicative list addressed by the United States to Romania, contained in document MTN/NTM/LL/3/Add.1, and are in the position to inform you of the following:

1. Consistent with its policy of expanding trade and international economic cooperation, respecting the provisions of its Protocol of Accession² to the GATT³ and seeking to participate in the general efforts to liberalize international trade, Romania will continue in the future to make efforts to increase and diversify its foreign trade, including imports from GATT member countries, taking into consideration the benefits to be accorded Romanian exports.

2. It is the intention of Romania that, in commercial transactions, a single exchange rate of the leu will be utilized. The objective in the future is to achieve convertibility of the leu.

3. The present tariffs for the remuneration of the Romanian citizens by representations of the foreign companies correspond to the volume and the quality of the services performed by ARGUS and take into account the usual levels on international market.

¹ Socialist Republic of Romania
Ministry of Foreign Trade and International Economic Cooperation
Bucharest.

² United Nations, *Treaty Series*, vol. 807, p. 312.

³ *Ibid.*, vol. 55, p. 187.

4. At the request of the United States and other partner countries, the Chamber of Commerce and Industry of Romania has published a guide of industrial centrals and major enterprises in Romania and distributed it free of charge. This guide is to be updated as necessary with changes in the nomenclature of Romanian industrial centrals and major enterprises.

5. Romania provides such data to the International Monetary Fund and IBRD, as well as to the GATT on occasions of consultations Romania has with the other Contracting Parties.

6. It is the intention of Romania to improve gradually information on foreign trade in terms of frequency and volume of data. The objective in the future is to distribute initially and ultimately to publish (when technical capabilities permit) more frequently foreign trade statistics with commodity by country and country by commodity information.

7. According to decree 15/1971, as amended, and to decree 243/1977, foreign companies, their representations and foreign persons conducting business in the territory of the Socialist Republic of Romania can use, through contracts concluded with ARGUS, services of Romanian citizens or foreign citizens permanently residing in Romania.

In selecting the personnel to perform the requested services, ARGUS seeks persons of appropriate qualifications, taking into account also proposals made by foreign partners and presents the various choices to foreign partners, which are free to choose from the selected persons. In offering services to foreign companies, their representations or foreign persons, ARGUS, consistent with its published regulations, will make its best efforts to ensure the selection of those persons indicated by foreign partners as being most qualified for the position in question.

Decree No. 243/1977 authorizes, beginning January 1, 1978, the conclusion of contracts providing services to foreign companies for their representations on a temporary basis. In case the requests for services are occasional or refer to a period of less than 30 days, a written contract is not compulsory.

8. At the request of the United States and other partner countries, the Chamber of Commerce and Industry of Romania has published a guide of Romanian research and design institutes and distributed it free of charge. The guide is to be updated as necessary with changes in the nomenclature of Romanian research and design institutes.

Romania, as a developing country, understands that, besides the tariff concessions for Romania agreed to by the United States in bilateral negotiations, it will also benefit from concessions on non-tariff measures not dealt with multilaterally and tariff concessions granted by the United States to countries participating in the Tokyo round of multilateral trade negotiations.

Romania wishes to express the understanding that the extension of its responses to the indicative list of the United States and of Romania's global offer in MTN is contingent upon a successful conclusion of the Tokyo Round of the Multilateral Trade Negotiations.

CONSTANTIN FOTA

[Signed]

Director,
Ministry for Foreign Trade and
International Economic Cooperation

Mr. William Culbert
Acting Head of the U.S. Delegation to the MTN
Geneva

III

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS
EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON

November 8, 1979

Dear Mr. Fota:

It is a pleasure to transmit to you, pursuant to the bilateral tariff agreement of March 2, 1979, between the Socialist Republic of Romania and the United States of America, the enclosed copy of the United States schedule of concessions (schedule XX) as appended to the Tariff Protocol of June 30, 1979,¹ embodying the results of the Tokyo Round of the Multilateral Trade Negotiations.

With regard to the tariff concessions of the United States to the Socialist Republic of Romania, it is a pleasure for me to inform you that the U.S. concession on TSUS 306.43, camel hair, scoured, has been improved to 2.4 percent *ad valorem*.

I would also like to take this opportunity to inform you of several technical changes to the U.S. tariff concessions to Romania. These changes are detailed in the enclosed copy of the U.S. schedule XX. Effective July 1, 1980, the following TSUS numbers will be renumbered:

<i>Existing TSUS Number</i>	<i>New TSUS Number</i>
405.45	409.38
407.12	410.66
407.30	410.76

¹ United Nations, *Treaty Series*, vols. 1187 to 1193, No. A-814XC.

Effective January 1, 1982, the following TSUS numbers will be renumbered:

<i>Existing TSUS Number</i>	<i>New TSUS Number</i>
380.0015	379.04
380.0036	379.04
380.0660	379.39
380.33	379.57
382.0270	383.16
382.0411	383.20

The U.S. concessions to Romania on these items will remain the same.

The tariff concessions of the United States to the Socialist Republic of Romania, as contained in the bilateral agreement of March 2, 1979, will be implemented in accordance with the provisions governing the implementation of comparable United States tariff concessions contained in the enclosed copy of the United States schedule XX.

Sincerely,

[Signed]

DOUGLAS W. McMINN
Executive Assistant to the Deputy
Special Trade Representative

Enclosure

Mr. Constantin Fota
Director
Ministry for Foreign Trade and
International Economic Cooperation
Bucharest, Romania

RELATED LETTERS

I

AMERICAN EMBASSY
BUCHAREST, ROMANIA

September 30, 1980

Dear Mr. Fota:

I refer to the exchange of letters between the competent authorities of our two countries of March 2, 1979, during the multilateral trade negotiations, as supplemented by the letter of November 8, 1979. In order to prevent future uncertainty regarding formal aspects of these agreement letters, and without prejudice to the rights and obligations of our two governments, I have the honor to propose that this

exchange shall be regarded as applying between our two governments as though GATT applied to the agreement letters, effective January 1, 1980.

Sincerely,

[Signed]

CLINT E. SMITH
Counselor of Embassy
for Economic Affairs

Mr. Constantin Fota
Director
Ministry of Foreign Trade and
International Economic Cooperation
Bucharest

II

REPUBLICA SOCIALISTĂ ROMÂNIA
MINISTERUL COMERȚULUI EXTERIOR ȘI COOPERĂRII ECONOMICE INTERNAȚIONALE

București,¹ September 30, 1980

Dear Mr. Smith:

We acknowledge your letter of September 30, 1980, and are pleased to inform you that the Romanian competent authorities agree with the proposals contained in this letter.

Yours faithfully,

[Signed]

CONSTANTIN FOTA
Director
Ministry for Foreign Trade and
International Economic Cooperation

Mr. Clint E. Smith
Counselor of American Embassy
for Economic Affairs
Bucharest

¹ Socialist Republic of Romania
Ministry of Foreign Trade and International Economic Cooperation
Bucharest.