

No. 26972

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**UNITED STATES OF AMERICA  
and  
COLOMBIA**

**Memorandum of Understanding to the multilateral trade negotiations (with annexes and related letters dated at Washington on 28 January and 30 June 1980). Signed at Bogotá on 23 April 1979**

*Authentic text: English.*

*Registered by the United States of America on 19 December 1989.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
COLOMBIE**

**Mémorandum d'accord relatif aux négociations commerciales multilatérales (avec annexes et lettres connexes en date à Washington des 28 janvier et 30 juin 1980). Signé à Bogotá le 23 avril 1979**

*Texte authentique : anglais.*

*Enregistré par les États-Unis d'Amérique le 19 décembre 1989.*

## MEMORANDUM OF UNDERSTANDING<sup>1</sup> BETWEEN THE DELEGATIONS OF COLOMBIA AND THE UNITED STATES OF AMERICA TO THE MULTILATERAL TRADE NEGOTIATIONS

April 23, 1979

1. This Memorandum, which supersedes that of March 30, 1979,\* sets forth the mutual trade concessions and contributions to the Multilateral Trade Negotiations agreed to by the two delegations for submission to their respective Governments for approval. Colombia, in accordance with the provisions of the Tokyo Declaration,\*\* is willing to make contributions to the MTN consistent with its level of economic development and its regional commitments. Moreover, the United States recognizes as part of Colombia's contribution, the Andean Group global offer presented to participating countries of the MTN on June 27, 1978.

2. Implementation of this understanding is dependent on the contingencies set forth in the following sections:

A. All tariff concessions will be bound and granted on a most-favored-nation basis within the framework of the GATT.<sup>2</sup>

B. The United States is prepared to respond to tariff requests by Colombia with tariff reductions as set forth in schedule A.

C. Colombia is prepared to respond to tariff requests of the United States with bindings as set forth in schedule B. These concessions will be accepted by the United States as the tariff contribution of Colombia toward its accession to the General Agreement on Tariffs and Trade and will be annexed to the protocol of accession.<sup>3</sup>

D. It is understood that no measure shall be adopted or modified by either Government adversely affecting the concessions granted in this understanding which is inconsistent with the provisions of GATT. In this regard the United States takes note of Colombia's response to its requests concerning licensing that licenses are automatically granted upon application and on a non-discriminatory basis on the products listed in schedule B and those products listed below:

01.02.01.00: Live purebred bovines

01.02.89.00: Other live bovines

01.03.01.00: Live purebred pigs

01.03.89.00: Other live pigs

16.02.89.02: Prepared and preserved meat of fowl

20.06.01.99: Other preserved fruits

\* Not printed. (Information provided by the Government of the United States of America.)

\*\* Department of State Bulletin, Oct. 8, 1973, p. 450. (Information provided by the Government of the United States of America.)

<sup>1</sup> Came into force on 3 October 1981, in accordance with paragraph 4.

<sup>2</sup> United Nations, *Treaty Series*, vol. 55, p. 187.

<sup>3</sup> *Ibid.*, vol. 1281, p. 492.

3. Any problem affecting the implementation of the concessions contemplated by this agreement shall be resolved through bilateral consultation and negotiation.

4. The provisions of the Memorandum of Understanding upon approval by both Governments shall take effect on a mutually agreed date.

For the Delegation  
of Colombia:

*[Signed]*

EDGARD MONCAYO JIMÉNEZ  
Director of INCOMEX

For the Delegation  
of the United States of America:

*[Signed]*

GEORGE H. THIGPEN  
Counselor  
for Economic/Commercial Affairs  
Embassy  
of the United States of America

## ANNEX

## SCHEDULE A

<i>TSUS</i>	<i>Short Description</i>	<i>Offer*</i>
192.20	Cut flowers	8.0%
302.30-39	Cotton Yarns No. 30-39	8.8-9.7%
331.20-29	Woven fabrics, colored No. 20-29	12.4-13.4%
346.10	Other corduroy	23.0%
382.0014	Cotton dresses, girls and infants	14.0%
382.0202	Womens, girls wool wearing apparel certified handloom/folklore product	17.0%
382.0462	Womens/girls raincoats	30.0%
382.0645	Other dressing gowns	8.4%

\* U.S. General Offer of January 15, 1978 with subsequently modified rates.

## SCHEDULE B

<i>Nabandina</i>	<i>Short Description</i>	<i>Offer</i>
07.05.89.01	Dried peas	15%
07.05.89.03	Dried lentils	15%
08.06.00.01	Fresh apples	20%
29.02.01.06	Chlorofloromethane	30%
29.06.01.01	Phenol	30%
29.14.02.43	Vinyl acetate monomer	30%
29.15.21.51	Dimethyl Lerephthalate	30%
38.19.02.01	Dodocyclbenzine	30%
40.02.02.01	Synthetic rubber (Styrene-butadiene)	30%
40.02.02.02	Synthetic rubber (Polibutadiene)	30%
82.03.04.00	Tinsnips	40%
90.28.02.99	Other instruments, apparatus and machines of positions 90.14, 90.15, 90.16, 90.22, 90.23, 90.24, 90.25 and 90.27, electrical or electronic: Manometers	45%

## RELATED LETTERS

## I

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

January 28, 1980

Dear Mr. Ambassador:

I refer to the Memorandum of Understanding of April 23, 1979 agreed upon during the Multilateral Trade Negotiations.

The United States proposes that this Memorandum, the tariff provisions of which have generally been embodied in Schedule XX (United States)<sup>1</sup> to the Geneva (1979) Protocol<sup>2</sup> or in Schedule LXXVI (Colombia)<sup>3</sup> to the Protocol for the Accession of Colombia, take effect (pursuant to paragraph 4 thereof) as an agreement between our two Governments as contracting parties to GATT when both such schedules have become schedules to GATT. Please advise me whether your Government agrees to the above effective date. My Government intends to notify the April 23 Memorandum to the GATT Secretariat.

Sincerely,

[Signed]

ROBERT C. CASSIDY, Jr.  
General Counsel

His Excellency Virgilio Barco  
Ambassador of the Embassy of Colombia  
Washington, D.C.

<sup>1</sup> United Nations, *Treaty Series*, vol. 1189, p. 2.

<sup>2</sup> *Ibid.*, vol. 1187, p. 2.

<sup>3</sup> *Ibid.*, vol. 1281, p. 494.

## II

EMBAJADA DE COLOMBIA<sup>1</sup>  
WASHINGTON, D.C.

June 30, 1980

No. 2976

Dear Mr. Cassidy:

With reference to your letter of June 12, concerning the entering into effect of the Memorandum of Understanding signed between our two governments on April 23, 1979, I hereby transmit the reply we have received from the Director of the Colombian Institute for Foreign Trade, with whom we consulted this matter:

The negotiations carried out between the Government of the United States and the Government of Colombia during the first months of 1979 which resulted in the Memorandum of Understanding of April 23, 1979, and the accompanying schedules, partially comprised Colombia's contribution to the MTN. However, their main objective was to define the tariff concessions Colombia would grant the United States as part of its accession to the GATT.

Consequently, both the Memorandum and Colombia's schedule, will enter into effect for Colombia simultaneously with the Protocol for the Accession of Colombia to the GATT, that is 30 days after the instruments of ratification have been deposited.

According to our constitution, international agreements require the approval of Congress. For this reason, the text of the Protocol for the Accession of Colombia signed on April 17, 1980, will be presented for the consideration of Congress during the sessions that will commence on July 20 of this year.

Sincerely,

[Signed]

VIRILIO BARCO  
Colombian Ambassador

Mr. Robert Cassidy  
General Counsel  
Office of the Special Representative for Trade Negotiations  
Executive Office of the President  
Washington, D.C.

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<sup>1</sup> Embassy of Colombia.