



Council of the  
European Union

Brussels, 23 February 2021  
(OR. en)

6408/21  
ADD 1

WTO 33  
AGRI 75

#### COVER NOTE

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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	22 February 2021
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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No. Cion doc.:	COM(2021) 76 final - ANNEX
Subject:	ANNEX to the Recommendation for a COUNCIL DECISION authorising the opening of negotiations on an agreement between the European Union and Panama under Article XXVIII of the General Agreement on Tariffs and Trade 1994 regarding the withdrawal of its WTO tariff rate quotas on liquid milk and evaporated milk

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Delegations will find attached document COM(2021) 76 final - ANNEX.

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Encl.: COM(2021) 76 final - ANNEX



EUROPEAN  
COMMISSION

Brussels, 22.2.2021  
COM(2021) 76 final

ANNEX

**ANNEX**

**to the**

**Recommendation for a**

**COUNCIL DECISION**

**authorising the opening of negotiations on an agreement between the European Union and Panama under Article XXVIII of the General Agreement on Tariffs and Trade 1994 regarding the withdrawal of its WTO tariff rate quotas on liquid milk and evaporated milk**

## ANNEX

- The Commission shall negotiate an agreement with Panama pursuant to Article XXVIII of the GATT 1994<sup>1</sup>, following Panama's decision to withdraw its tariff quotas for liquid milk and evaporated milk under tariff lines 0401.10.00, 0401.20.10, 0401.20.90, 0402.91.91, 0402.91.92, 0402.91.99, 0402.99.91, 0402.99.92 and 0402.99.99 from its Schedule of Concessions CXLI.
- The Commission shall conduct the negotiations, with a view to agree with Panama adequate compensation following Panama's decision to withdraw its tariff quotas for liquid milk and evaporated milk from its Schedule of Concessions CXLI.
- The Commission shall follow the relevant WTO provisions, in particular Article XXVIII of the GATT 1994 and the Understanding on the Interpretation of Article XXVIII of the GATT 1994<sup>2</sup>.
- The Commission shall report to the Council on the outcome of the negotiations and, where appropriate, on any problem that may arise during the negotiations.

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<sup>1</sup> [https://www.wto.org/english/docs\\_e/legal\\_e/gatt47\\_01\\_e.htm](https://www.wto.org/english/docs_e/legal_e/gatt47_01_e.htm).

<sup>2</sup> [https://www.wto.org/english/docs\\_e/legal\\_e/12-28\\_e.htm](https://www.wto.org/english/docs_e/legal_e/12-28_e.htm).