

# WORLD TRADE ORGANIZATION

RESTRICTED

**WT/GC/W/38**

28 October 1996

(96-4490)

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## GENERAL COUNCIL

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#### Draft Annual Report (1996)<sup>1</sup>

The present report has been prepared in pursuance of the Procedures for an Annual Overview of WTO Activities and for Reporting under the WTO (WT/L/105), and sets out the actions taken by the General Council since the previous overview of WTO activities held in December 1995.<sup>2</sup>

In carrying out its tasks, the General Council has held [...] meetings since December 1995. The minutes of these meetings, which remain the record of the General Council's work, are contained in documents WT/GC/M/10-WT/GC/M/[..].

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<sup>1</sup>The final version of the report will also reflect the General Council meeting on 7 November 1996, and the points will be renumbered as necessary.

<sup>2</sup>The annual report of the General Council for 1995 is contained in WT/GC/5 and Corr.1.

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At the General Council meeting on 16 April 1996, the Chairman recalled that at an informal meeting of the General Council on 5 March, it had been agreed that preparations for the Singapore Ministerial Conference would be undertaken in the following manner:

1. The General Council, meeting informally on that day, would invite the Director-General, Mr. Renato Ruggiero, in his personal capacity, to chair informal meetings open to participation of all Members, in principle at the Head of Delegation level. The purpose

of these meetings would be to enable Members to exchange views on the preparation of the Singapore Ministerial Conference, with regard to both substantive and organizational matters.

2. In so doing, the Director-General would act in close cooperation and coordination with the Chairman of the General Council.
3. In all matters relating to the organization of the Ministerial Conference, the Director-General would work closely with the Head of the Delegation of the host country of the Ministerial Conference.
4. The Director-General would submit progress reports on this work at the meetings of the General Council.
5. The General Council would act upon these reports of the Director-General as necessary. In particular, it would consider any proposals addressed to it and take any decisions it deemed appropriate for the further preparation of the Singapore Ministerial Conference.

It was understood that the different WTO bodies would carry out the tasks assigned to them under the texts agreed in the Uruguay Round for the purposes of the first Ministerial Conference.

In accordance with paragraph 4 of the above procedures, the Director-General then reported on the process that had been undertaken thus far.

The Chairman proposed that the General Council take note of the Director-General's statement and agree that the Singapore Ministerial Conference take place from 9-13 December 1996, that the agenda for the Conference be divided between general discussion and specific business items, and that a decision on the specific agenda items and the exact time to be allocated to the general discussion and the specific items be taken at a later date.

The General Council so agreed.

At the General Council meetings on 26 June, 18 July, 2 October, and 14 October 1996, the Director-General reported on the process that had been undertaken until then.

( ) Schedule of meetings of WTO bodies (WT/GC/M/11)

At the General Council meeting on 16 April 1996, the Chairman drew attention to the schedule of end-of-year meeting for various WTO bodies for the purpose of adoption of their respective reports to the Ministerial Conference (WT/GC/W/32/Rev.1), and to the revised Programme of Meetings of WTO bodies for 1996 (WT/GC/4/Rev.1).

With regard to reporting procedures for the Ministerial Conference, he said that his informal consultations had resulted in agreement on the following text of a statement to be read by him:

- "1. Subsidiary bodies of the General Council are invited to prepare their reports on the basis of the Procedures for an annual overview of the WTO activities and for reporting under the WTO laid down by the General Council on 15 November 1995 (WT/L/105). These reports should be submitted in accordance with the schedule of meetings circulated in document WT/GC/W/32/Rev.1 in order to enable the General Council to adopt its own report to the Ministerial Conference on 7 November 1996.

2. Given the different mandates of Standing Bodies of the WTO it is difficult to establish a common format for reports of these bodies. In some instances, for example, efforts to include in reports an assessment or an identification of problems and issues could lead to undue difficulties. Each Body must therefore ultimately decide on the format of report which it deems most appropriate for consideration of relevant issues by the superior Body.
3. While taking the above into account, I suggest that these reports include at least the following elements:
  - (a) a section on implementation of the relevant Agreements;
  - (b) progress concerning work under the Built-in Agenda;
  - (c) an indication as appropriate of issues and problems which have been identified and recommendations if any."

The General Council took note of the Chairman's statement on reporting procedures for the Ministerial Conference (WT/L/145), also took note that the Chairman would consult with Pakistan on its concerns regarding the second sentence of paragraph 2 of the statement, and further took note that Pakistan would have the possibility to revert to this matter at the next meeting.

The Chairman then invited the chairpersons of subsidiary bodies to undertake the necessary arrangements for the preparation of their respective reports along the lines of his statement.

- ( ) Progress of preparatory work in subsidiary bodies of the General Council (WT/GC/M/13, 14, 15)

At its meeting on 18 July 1996, the General Council heard reports on the progress of preparatory work in their respective bodies, made under their own responsibility, by the Chairpersons of the Dispute Settlement Body, the Trade Policy Review Body, the Council for Trade in Services, the Council for Trade in Goods, the Committee on Trade and Development, the Committee on Trade and Environment and the Committee on Regional Trade Agreements, and by the Chairman on behalf of the Chairman of the Council for TRIPS. The General Council also heard that the Chairmen of the Budget and Balance-of-Payments Committees had nothing to report at this stage with regard to preparatory work for the Ministerial Conference in their respective Committees.

At its meeting on 2 October 1996, the General Council heard brief reports on the preparatory work in their respective bodies, made under their own responsibility, by the Chairpersons of the Council for Trade in Goods, the Council for Trade in Services and the Council for TRIPS. The General Council also heard that the Chairman of the Committee on Trade and Development had nothing to report at this stage.

At its meeting on 14 October 1996, the General Council heard reports on the preparatory work in their respective bodies, made under their own responsibility, by the Chairpersons of the Trade Policy Review Body, the Council for Trade in Goods, the Council for Trade in Services, the Council for TRIPS, the Dispute Settlement Body, the Committee on Trade and Development, the Committee on Regional Trade Agreements and the Committee on Trade and Environment. The General Council also heard that the Chairmen of the Budget and Balance-of-Payments Committees had nothing to report at this stage with regard to preparatory work for the Ministerial Conference in their respective Committees.

( ) Election of officers of the Ministerial Conference (WT/GC/M/14)

At the General Council meeting on 2 October 1996, the Chairman recalled that the Rules of Procedure for Sessions of the Ministerial Conference (WT/L/161) provided for the election of a Chairperson and three Vice-Chairpersons who would hold office from the end of one session until the end of the next regular session. Since the Singapore Ministerial Conference was the first Ministerial Conference, and there was no elected Chairperson, he proposed that the General Council act on behalf of the Ministerial Conference and elect a Chairperson and three Vice-Chairpersons at its meeting on 7 November 1996. If this proposal were acceptable, he would consult with Members so that the election of the Chairperson and the three Vice-Chairpersons could take place at the General Council meeting on 7 November.

The General Council so agreed.

( ) Organizational matters (WT/GC/M/14)

At the General Council meeting on 2 October 1996, the Chairman addressed the following organizational matters pertaining to the Ministerial Conference:

## 1. Opening Session of the Conference

- (a) In accordance with the usual practice at Ministerial meetings, a brief inaugural ceremony would be held at the opening session to welcome the Prime Minister of Singapore.
- (b) The elected Chairperson of the Ministerial Conference would invite the Prime Minister of Singapore to address the Conference.
- (c) At the end of his address to the Conference, the Prime Minister of Singapore would declare the first Ministerial Conference of the WTO formally opened.
- (d) After the departure of the Prime Minister of Singapore, the Chairperson would take up the following business on the morning of Monday, 9 December as follows:
  - (i) Adoption of the Agenda.
  - (ii) Agreement on the Order of Business.
  - (iii) Introduction of the Report of the General Council by the Chairman of the General Council.
  - (iv) Introduction of the Report on an overview of developments in international trade and the trading system by the Director-General.
  - (v) Statements by Ministers.

## 2. List of Speakers

Members wishing to speak at the Ministerial Conference should contact the Secretariat and make reservations not later than 1 November 1996. Statements should be limited to a maximum of five minutes. If a delegation so wished, a longer text would be circulated in document form to the Conference.

Requests for reservations made after 1 November would be accommodated in accordance with the availability of time. The purpose of this procedure was to enable the Secretariat to organize in advance the sequence of plenary sessions of the Ministerial Conference.

The General Council took note of these suggestions.

( ) Attendance of observers at the Ministerial Conference

( ) Governments (WT/GC/M/14)

At the General Council meeting on 2 October 1996, the Chairman recalled the procedures for the attendance of governments as observers at meetings of the Ministerial Conference as set out in Annex 2 of the Rules of Procedure for Sessions of the Ministerial Conference (WT/L/161). Under these procedures, governments that were presently accorded observer status in the General Council and its subsidiary bodies would be invited to attend sessions of the Ministerial Conference as observers. Other governments that wished to have observer status at the Ministerial Conference, and did not at present have such status in the General Council and its subsidiary bodies, would have to make a formal request in accordance with the provisions of paragraph 1 of the above procedures. Any such requests would be examined in accordance with the procedures set out. Furthermore, observer governments that wished to speak at the Ministerial Conference would be invited to do so after Members had spoken, as provided for in the procedures.

( ) International intergovernmental organizations (WT/GC/M/13, 14, 15)

At the General Council meeting on 18 July 1996, the Chairman said that, as he had indicated to delegations at an informal meeting on 12 July, he intended to start consultations on the international intergovernmental organizations to be invited as observers to the Ministerial Conference on the basis of the following guidelines:

- (a) organizations that were observers to the General Council would be automatically invited;
- (b) organizations that were observers to subsidiary bodies of the WTO would be invited if they requested to attend the Conference;
- (c) consultations would be carried out to determine which other international intergovernmental organizations that were not observers to the WTO and that requested attendance at the Conference should also be invited.

He hoped that at its meeting scheduled for October, the General Council would be in a position to take a decision on the international intergovernmental organizations to be invited as observers to the Ministerial Conference.

The General Council agreed with the Chairman's proposed approach.

At its meeting on 2 October 1996, the Chairman informed the General Council that the following organizations which were not already observers to the WTO had requested attendance at the 1996 Ministerial Conference: the Common Market for Eastern and Southern Africa (COMESA), the Central American Bank for Economic Integration, the Common Fund for Commodities and the Islamic Development Bank. He proposed that the General Council accept these requests and invite these organizations as observers to the Ministerial Conference.

The General Council so agreed.

At its meeting on 14 October 1996, the Chairman informed the General Council that the United Nations Economic and Social Commission for Western Asia (ESCWA), which was not an observer to the WTO had requested attendance at the 1996 Ministerial Conference. He proposed that the General Council accept this request and invite this organization as an observer to the Ministerial Conference.

The General Council so agreed.

( ) Non-governmental organizations (WT/GC/M/13, 14, 15)

At the General Council meeting on 18 July 1996, the Chairman said he believed it was necessary to determine urgently how to proceed with requests from non-governmental organizations to attend the Ministerial Conference in an observer capacity and, on the basis of consultations he had held, proposed the following method for proceeding:

- (i) NGOs would be allowed to attend the Plenary Sessions of the Conference;
- (ii) applications from NGOs to be registered would be accepted on the basis of Article V of the WTO Agreement, i.e. those NGOs "concerned with matters related to those of the WTO"; and
- (iii) a deadline would be established for the registration of NGOs that wished to attend the Conference. A list of the NGOs that had applied for attendance would be circulated subsequently for the information of the General Council. Attendance at plenary sessions by NGOs would also depend upon the availability of space.

The General Council agreed to the Chairman's proposed procedure.

At the General Council meeting on 2 October 1996, the Chairman drew attention to an informal document recently circulated by the Secretariat which listed those NGOs which had complied with the requirements for attendance at the Singapore Ministerial Conference that had been agreed in July.

The General Council agreed that the Secretariat would prepare a paper outlining the agreed modalities for the attendance of NGOs at the Ministerial Conference and that the deadline for registration of NGOs be extended to 15 October.

At the General Council meeting on 14 October 1996, the Chairman said that since the General Council would not meet again before 7 November, and in order not to delay unnecessarily the process of registration for NGOs, agreement had been reached in informal consultations on a way to move the process forward, as follows: (a) the Secretariat would establish for 16 October, as an addendum to the list distributed on 2 October, a list of those additional NGOs which had presented requests for registration and which had received registration forms since 2 October, and would circulate on 22 October a final list of those NGOs to whom confirmation would be sent; and (b) the facilities provided for

NGOs at the Singapore Ministerial Conference might be reviewed by the General Council in the light of the experience gained from this first Ministerial Conference.

The General Council agreed to the Chairman's proposed procedure.

- ( ) Finalization of negotiations on schedules on goods and services  
- Decision on the accession of, and approval of protocol of accession for, the United Arab Emirates (WT/GC/M/10)

In December 1995, the General Council had approved the goods and services schedules of the United Arab Emirates.



At its meeting on 6 February 1996, the General Council approved the text of the Protocol of Accession for the United Arab Emirates (WT/L/129) and, in accordance with the Decision-Making Procedures Under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93), adopted the Decision on the Accession of the UAE (WT/L/128).

( ) Composition of the Textiles Monitoring Body (WT/GC/M/10)

In January 1995, the General Council had adopted a Decision on the composition of the Textiles Monitoring Body until the end of 1997 (WT/L/26). With regard to the China/Pakistan constituency, a footnote to the Decision stipulated that in the event that China did not become a WTO Member by 31 December 1995, "a WTO Member, to be proposed by the WTO Members that are members of the International Textiles and Clothing Bureau, shall be included in this constituency until such date as China becomes a WTO Member".

At its meeting on 6 February 1996, the General Council considered a communication from the ITCB (WT/GC/W/28) proposing that Macau be included in the China/Pakistan constituency until such time as China became a Member of the WTO, or until 31 December 1997, whichever came first.

The General Council took note of the proposed nomination to the TMB (WT/L/26/Add.1).

( ) Approval of rules of procedure for subsidiary bodies  
- Committee on Regional Trade Agreements (WT/GC/M/14)

At its meeting on 2 October 1996, the General Council approved the rules of procedure for meetings of the Committee on Regional Trade Agreements in WT/REG/1, which had been adopted by that Committee on 2 July.

( ) Committee on Balance-of-Payments Restrictions

( ) Consultations (WT/GC/M/10, 13)

At its meeting on 6 February 1996, the General Council considered and adopted the Committee's report on its consultation with India (WT/BOP/R/11 - BOP/R/234).

At its meeting on 18 July 1996, the General Council considered and adopted the Committee's reports on its consultations with Nigeria (WT/BOP/R/13), Tunisia (WT/BOP/R/14) and Slovakia (WT/BOP/R/15).

( ) Disinvocation of the balance-of-payments provisions of the GATT 1994 by Turkey and Poland (WT/GC/M/13)

At its meeting on 18 July 1996, the Chairman of the Committee informed the General Council that Turkey and Poland had recently communicated to the Committee their intention to disinvoke the balance-of-payments provisions of GATT 1994 as of 1 January 1997 (WT/BOP/N/7 and WT/BOP/N/8).

( ) Notifications by the Philippines and India (WT/GC/M/13)

At its meeting on 18 July 1996, the General Council took note that the Committee had received a notification from the Philippines concerning the lifting of restrictions on agricultural products (WT/BOP/N/9), and a recent submission from India containing a list of all quantitative restrictions including those maintained for BOP purposes (WT/BOP/N/11).

( ) Notes on meetings (WT/GC/M/10, 13)

At its meeting on 6 February 1996, the General Council took note of the Committee's discussion of its ongoing business reported in WT/BOP/R/12 - BOP/R/235.

At its meeting on 18 July 1996, the General Council took note of the Committee's discussion of its ongoing business reported in WT/BOP/R/16.

( ) Committee on Budget, Finance and Administration  
- Reports (WT/GC/M/10, 11, 12, 13)

At its meeting on 6 February 1996, the General Council considered the Committee's reports in WT/BFA/16 - L/7660 and WT/BFA/18 - L/7662, and adopted the two reports.

At its meeting on 16 April 1996, the General Council considered the Committee's reports in WT/BFA/20, WT/BFA/21 and WT/BFA/22. The General Council approved the Committee's specific recommendations in paragraphs 12 and 14 of its report in WT/BFA/20, and adopted the report. The General Council then approved the Committee's specific recommendations in paragraph 8 of its report in WT/BFA/21, and adopted the report. The General Council then approved the Committee's specific recommendations in paragraphs 5 to 11 of its report in WT/BFA/22, and adopted the report.

At its meeting on 26 June 1996, the General Council considered the Committee's report in WT/BFA/24. The General Council approved the Committee's specific recommendation in paragraph 11 of its report in WT/BFA/24, and adopted the report.

At its meeting on 18 July 1996, the General Council considered the Committee's report in WT/BFA/26. The General Council approved the Committee's specific recommendations in paragraphs 6 and 8 of its report in WT/BFA/26, and adopted the report.

( ) Committee on Regional Trade Agreements

( ) Establishment of the Committee and adoption of its terms of reference (WT/GC/M/10)

In December 1995, the General Council had agreed in principle to establish a committee on regional trade agreements and that the Chairman would hold consultations on the terms of reference and other related matters concerning the committee.

At the General Council meeting on 6 February 1996, Mr. Weekes (Canada) reported on the consultations he had held on behalf and at the request of the Chairman, and proposed that a draft decision that had been circulated to delegations on this matter be adopted with an amendment.

The General Council adopted the Decision establishing the Committee on Regional Trade Agreements with the terms of reference set out therein (WT/L/127).

( ) Presiding officers to the Committee (WT/GC/M/11)

At its meeting on 16 April 1996, the Chairman informed the General Council that Mr. Weekes (Canada) had agreed to serve as Chairman of the Committee, and Mr. Berthet (Uruguay) Mr. Harbinson (Hong Kong), Mr. Ravaloson (Madagascar) and Mr. Willems (Belgium) had agreed to serve as Vice-Chairmen.

( ) Waivers under Article IX of the WTO Agreement

( ) Harmonized System

- Bangladesh, Bolivia, Guatemala, Jamaica, Morocco, Nicaragua and Sri Lanka  
(WT/GC/M/13)

At its meeting on 18 July 1996, the General Council considered requests by Bangladesh (G/L/77), Bolivia (G/L/78), Guatemala (G/L/86), Jamaica (G/L/79), Morocco (G/L/80), Nicaragua (G/L/81) and Sri Lanka (G/L/83) for extensions of waivers previously granted in connection with their implementation of the Harmonized System, and the related draft decisions.

The Chairman of the Council for Trade in Goods reported on the Council's consideration of these requests.

The General Council adopted the Decisions on the extensions of the waivers (WT/L/164 - Bangladesh; WT/L/165 - Bolivia; WT/L/172 - Guatemala; WT/L/166 - Jamaica; WT/L/167 - Morocco; WT/L/168 - Nicaragua; and WT/L/170 - Sri Lanka) in accordance with the Decision-Making Procedures Under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93).

( ) Renegotiations of Schedules

( ) Malawi - Renegotiation of Schedule LVIII (WT/GC/M/10)

At its meeting on 6 February 1996, the General Council considered a request by Malawi (G/L/51) for an extension of a waiver previously granted in connection with its renegotiation of its schedule, and a draft decision to this effect (G/C/W/31).

The Chairman of the Council for Trade in Goods reported on the Council's consideration of this request.

The General Council adopted the Decision on the extension of the waiver (WT/L/131) in accordance with the Decision-Making Procedures Under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93).

( ) Senegal - Renegotiation of Schedule XLIX (WT/GC/M/13)

At its meeting on 18 July 1996, the General Council considered a request by Senegal (G/L/82) for an extension of a waiver previously granted in connection with its renegotiation of its schedule, and the related draft decision (G/C/W/45).

The Chairman of the Council for Trade in Goods reported on the Council's consideration of this request.

The General Council adopted the Decision on the extension of the waiver (WT/L/169) in accordance with the Decision-Making Procedures Under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93).

( ) Zambia - Renegotiation of Schedule LXXVIII (WT/GC/M/13)

At its meeting on 18 July 1996, the General Council considered a request by Zambia (G/L/84) for an extension of a waiver previously granted in connection with its renegotiation of its schedule, and the related draft decision (G/C/W/47).

The Chairman of the Council for Trade in Goods reported on the Council's consideration of this request.

The General Council adopted the Decision on the extension of the waiver (WT/L/171) in accordance with the Decision-Making Procedures Under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93).

( ) Decision on the introduction of Harmonized System changes into WTO schedules of tariff concessions on 1 January 1996  
- Extension of time-limit (WT/GC/M/13)

At its meeting on 18 July 1996, the General Council considered a draft decision extending the time-limit of the Decision on the introduction of Harmonized System changes into WTO schedules of tariff concessions on 1 January 1996 (G/MA/W/6).

The Chairman of the Council for Trade in Goods reported on the Council's consideration of this extension of the time-limit.

The General Council adopted the Decision extending the time-limit (WT/L/173) in accordance with the Decision-Making Procedures Under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93).

( ) Extension of waivers pursuant to paragraph 2 of the Understanding in respect of waivers of obligations under GATT 1994 (WT/GC/M/14, 15)  
- Canada - CARIBCAN  
- Cuba - Article XV:6 of GATT 1994  
- European Communities - Fourth ACP-EC Convention of Lomé  
- France - Trading Arrangements with Morocco  
- South Africa - Base dates under Article I:4  
- United States - ANDEAN Trade Preference Act  
- United States - Former Trust Territory of the Pacific Islands  
- Zimbabwe - Base dates under Article I:4

At its meeting on 2 October 1996, the General Council considered requests by Canada (G/L/100), Cuba (G/L/89), the European Communities (G/L/108, G/L/109), South Africa (G/L/104), the United States (G/L/101, G/L/102) and Zimbabwe (G/L/106) for extensions of waivers pursuant to paragraph 2 of the Understanding in respect of waivers of obligations under GATT 1994, and the related draft decisions.

The Chairman of the Council for Trade in Goods reported on the Council's consideration of these requests.

The General Council agreed to revert to this matter at its next meeting.

At its meeting on 14 October 1996, the General Council again considered these requests and adopted the Decisions on the extensions of the waivers (WT/L/185 - Canada; WT/L/182 - Cuba; WT/L/186 and WT/L/187 - European Communities; WT/L/188 - South Africa; WT/L/183 and WT/L/184 - United States; and WT/L/189 - Zimbabwe), in accordance with the Decision-Making Procedures Under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93).

( ) Status of waivers in effect on the date of entry into force of the WTO Agreement (WT/GC/M/13)

At its meeting on 18 July 1996, the General Council took note that in consultations held recently by the Chairman on the status of waivers in effect on the date of entry into force of the WTO Agreement, there appeared to be broad agreement that each Member that sought an extension of such a waiver, a list of which was provided in WT/L/153/Rev.1, should submit a request for its extension which should be dealt with under the provisions of Article IX:3 of the WTO Agreement and that, pursuant to those provisions, such requests should first be considered by the Council for Trade in Goods.

( ) Accessions

( ) Bulgaria (WT/GC/M/14)

In November 1986 and February 1990, the GATT 1947 Council had established a working party to examine Bulgaria's request for accession to the General Agreement on Tariffs and Trade. Subsequently, in pursuance of the Decision regarding requests for WTO accession adopted by the General Council on 31 January 1995<sup>3</sup>, the GATT 1947 Accession Working Party had been transformed into a WTO Accession Working Party.

At its meeting on 2 October 1996, the General Council considered the Working Party's report (WT/ACC/BGR/5 and Corr.1, Add.1 and Add.2).

The General Council approved the text of the Protocol of Accession (WT/ACC/BGR/7) and the text of the draft decision on the Accession of Bulgaria and, in accordance with the Decision-Making Procedures Under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93), adopted the Decision on the Accession of Bulgaria (WT/ACC/BGR/6). The General Council then adopted the report of the Working Party (WT/ACC/BGR/5 and Corr.1, Add.1 and Add.2).

( ) Georgia (WT/GC/M/13)

At its meeting on 18 July 1996, the General Council considered a communication from Georgia (WT/ACC/GEO/1) concerning its interest in acceding to the WTO Agreement pursuant to Article XII thereof.

The General Council agreed to establish a working party to examine Georgia's request, and authorized its Chairman to designate the Chairperson of the Working Party in consultation with representatives of Members and with the representative of Georgia.

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<sup>3</sup>See WT/GC/M/1, Item 4(g).

( ) Kazakstan (WT/GC/M/10, 11)

At its meeting on 6 February 1996, the General Council considered a communication from Kazakstan (WT/ACC/KAZ/1) concerning its interest in acceding to the WTO Agreement pursuant to Article XII thereof.

The General Council agreed to establish a working party to examine Kazakstan's request, and authorized its Chairman to designate the Chairperson of the Working Party in consultation with representatives of Members and with the representative of Kazakstan.

The Chairman invited Kazakstan, on behalf of the General Council, to attend meetings of the General Council and, as appropriate, meetings of other WTO bodies as an observer during the period when the Working Party was carrying out its work.

At its meeting on 16 April 1996, the Chairman informed the General Council that Mr. Ekblom (Finland) had agreed to chair the Working Party.

( ) Kyrgyz Republic (WT/GC/M/11, 13)

At its meeting on 16 April 1996, the General Council considered a communication from the Kyrgyz Republic (WT/ACC/KGZ/1) concerning its interest in acceding to the WTO Agreement pursuant to Article XII thereof.

The General Council agreed to establish a working party to examine the request of the Kyrgyz Republic, and authorized its Chairman to designate the Chairperson of the Working Party in consultation with representatives of Members and with the representative of the Kyrgyz Republic.

The Chairman invited the Kyrgyz Republic, on behalf of the General Council, to attend meetings of the General Council and, as appropriate, meetings of other WTO bodies as an observer during the period when the Working Party was carrying out its work.

At its meeting on 18 July 1996, the Chairman informed the General Council that Mr. Metzger (France) had agreed to chair the Working Party.

( ) Mongolia (WT/GC/M/13)

In October 1991, the GATT 1947 Council had established a working party to examine Mongolia's request for accession to the General Agreement on Tariffs and Trade. Subsequently, in pursuance of the Decision regarding requests for WTO accession adopted by the General Council on 31 January 1995<sup>4</sup>, the GATT 1947 Accession Working Party had been transformed into a WTO Accession Working Party.

At its meeting on 18 July 1996, the General Council considered the Working Party's report (WT/ACC/MNG/9 and Corr.1, Add.1, Add.1/Corr.1, and Add.2).

The General Council approved the text of the Protocol of Accession (WT/ACC/MNG/11) and the text of the draft decision on the Accession of Mongolia and, in accordance with the Decision-Making Procedures Under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93), adopted the Decision on the Accession of Mongolia (WT/ACC/MNG/10). The General Council then

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<sup>4</sup>See WT/GC/M/1, Item 4(g).

adopted the report of the Working Party (WT/ACC/MNG/9 and Corr.1, Add.1 and Add.1/Corr.1, and Add.2).

( ) Oman (WT/GC/M/12, 14)

At its meeting on 26 June 1996, the General Council considered a communication from Oman (WT/ACC/OMN/1) concerning its interest in acceding to the WTO Agreement pursuant to Article XII thereof.

The General Council agreed to establish a working party to examine Oman's request, and authorized its Chairman to designate the Chairperson of the Working Party in consultation with representatives of Members and with the representative of Oman.

The Chairman invited Oman, on behalf of the General Council, to attend meetings of the General Council and, as appropriate, meetings of other WTO bodies as an observer during the period when the Working Party was carrying out its work.

At its meeting on 2 October 1996, the Chairman informed the General Council that Mr. Akram (Pakistan) had agreed to chair the Working Party.

( ) Panama (WT/GC/M/14)

In October 1991, the GATT 1947 Council had established a working party to examine Panama's request for accession to the General Agreement on Tariffs and Trade. Subsequently, in pursuance of the Decision regarding requests for WTO accession adopted by the General Council on 31 January 1995<sup>5</sup>, the GATT 1947 Accession Working Party had been transformed into a WTO Accession Working Party.

At its meeting on 2 October 1996, the General Council considered the Working Party's report (WT/ACC/PAN/19 and Corr.1, Add.1 and Add.2).

The General Council approved the text of the Protocol of Accession (WT/ACC/PAN/21) and the text of the draft decision on the Accession of Panama and, in accordance with the Decision-Making Procedures Under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93), adopted the Decision on the Accession of Panama (WT/ACC/PAN/20). The General Council then adopted the report of the Working Party (WT/ACC/PAN/19 and Corr.1, Add.1 and Add.2).

( ) Papua New Guinea (WT/GC/M/10, 11)

In November 1995, the General Council had adopted a Decision (WT/L/98) authorizing Papua New Guinea to accede to the WTO Agreement under terms set out in its Protocol of Accession (WT/L/99).

At its meeting on 6 February 1996, the General Council considered a communication from Papua New Guinea requesting that the time-limit for acceptance in paragraph 6 of its Protocol of Accession be changed to 13 May 1996 (WT/GC/W/30), and a draft decision to this effect in the Annex to that document.

The representative of Japan reiterated his Government's concern with regard to Papua New Guinea's applied tariff on canned mackerel that was in excess of the bound tariff.

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<sup>5</sup>See WT/GC/M/1, Item 4(g).

The General Council adopted the Decision extending the time-limit (WT/L/130).

At its meeting on 16 April 1996, the General Council considered a communication from Papua New Guinea requesting that the time-limit in paragraph 6 of its Protocol of Accession be further extended to 13 August 1996 (WT/GC/W/33), and a draft decision to this effect in the Annex to that document.

The General Council adopted the Decision further extending the time-limit (WT/L/148).

( ) Saudi Arabia (WT/GC/M/10)

In July 1993, the GATT 1947 Council had established a working party to examine Saudi Arabia's request for accession to the GATT. Following the request by Saudi Arabia for accession to the WTO Agreement (WT/ACC/SAU/1), that working party had been transformed into a WTO Accession Working Party.

At its meeting on 6 February 1996, the Chairman informed the General Council that Mr. Weekes (Canada) had agreed to chair the Working Party.

( ) Seychelles (WT/GC/M/13)

In July 1995, the General Council had established a working party to examine Seychelles' request for accession to the WTO Agreement, and had authorized its Chairman to designate the Chairperson of the Working Party in consultation with representatives of Members and with the representative of Seychelles.

At its meeting on 18 July 1996, the Chairman informed the General Council that Mr. Ravaloson (Madagascar) had agreed to chair the Working Party.

( ) Tonga (WT/GC/M/10)

In November 1995, the General Council had established a working party to examine Tonga's request for accession to the WTO Agreement, and had authorized its Chairman to designate the Chairperson of the Working Party in consultation with representatives of Members and with the representative of Tonga.

At its meeting on 6 February 1996, the Chairman informed the General Council that Mr. Harbinson (Hong Kong) had agreed to chair the Working Party.

( ) Vanuatu (WT/GC/M/11)

In July 1995, the General Council had established a working party to examine Vanuatu's request for accession to the WTO Agreement, and had authorized its Chairman to designate the Chairperson of the Working Party in consultation with representatives of Members and with the representative of Vanuatu.

At its meeting on 16 April 1996, the Chairman informed the General Council that Mrs. Syahrudin (Indonesia) had agreed to chair the Working Party.



( ) Statement by Cuba on the United States' Helms-Burton Act of 1996 (WT/GC/M/11)

At the General Council meeting on 16 April 1996, the representative of Cuba expressed concern that the US Helms-Burton Act of 1996 was a violation of international trade rules and international law, as well as of undertakings entered into by the United States when signing the Final Act Embodying the Results of the Uruguay Round, and noted that his Government had recently circulated a communication on this matter (WT/L/142).

( ) Hungary - Invocation of Article 48 of the Vienna Convention on the Law of the Treaties (WT/GC/M/11)

At its meeting on 16 April 1996, the representative of Hungary informed the General Council of Hungary's invocation, on 9 April 1996, of Article 48 of the Vienna Convention on the Law of Treaties with respect to Section II of Part IV of Schedule LXXI, and expressed his Government's readiness to hold consultations with any Members on this matter.

( ) Brazil - Provisional safeguard measures concerning imports of toys (WT/GC/M/13)

At the General Council meeting on 18 July 1996, the representative of the European Communities expressed concern at Brazil's recent initiation of a safeguard investigation and the imposition of a provisional safeguard measure on imports of toys originating in all third countries.

( ) Notification requirements (WT/GC/M/11)

At the General Council meeting on 16 April 1996, the Director-General noted that Members had recently been reminded of their unfulfilled notification requirements for 1995 and their notification requirements for 1996, and underlined the importance of fulfilling these obligations.

( ) Procedures for the circulation and derestriction of WTO documents (WT/GC/M/10, 12, 13)

At its meeting on 6 February 1996, the Chairman informed the General Council that no further progress on this matter had been achieved since the meeting of the General Council in December 1995 and that he intended to refer to this matter in a statement he would make under a separate Agenda item.<sup>6</sup>

At its meeting on 26 June 1996, the Chairman informed the General Council that he was still not in a position to submit a draft decision on this matter for consideration by Members.

At the General Council meeting on 18 July 1996, the Chairman said that following extensive consultations held since the beginning of the year, agreement had now been reached on a compromise text that appeared to be agreeable to a majority of delegations. He proposed that the text of the draft decision on this matter, with paragraph (h) of the Appendix redrafted to reflect the compromise regarding panel reports, be adopted at the present meeting.

The General Council adopted the procedures for the circulation and derestriction of WTO documents (WT/L/160/Rev.1).

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<sup>6</sup>See under point [...] - "Election of Chairperson".

The Chairman then made the following statement: "In adopting these procedures on the circulation and derestriction of documents, the General Council takes note that Members attach particular importance to the restricted nature of documents so designated, and that individual governments should proceed accordingly in their handling of such documents."

- ( ) Arrangements for effective cooperation with other intergovernmental organizations
  - Relations between the WTO and the International Monetary Fund and the World Bank  
(WT/GC/M/13)

At the General Council meeting on 18 July 1996, the Chairman said that informal consultations on draft arrangements for relations between the WTO and the IMF and the World Bank were currently under way, and proposed that the General Council revert to this item at its next meeting.

The General Council so agreed.

- ( ) Guidelines for arrangements on relations with non-governmental organizations pursuant to Article V:2 of the WTO Agreement (WT/GC/M/10, 12, 13)

At its meeting on 6 February 1996, the Chairman informed the General Council that no further progress on this matter had been achieved since the meeting of the General Council in December 1995 and that he intended to refer to this matter in a statement he would make under a separate Agenda item.<sup>7</sup>

At the General Council meeting on 26 June 1996, the Chairman recalled that approval of the proposed guidelines on this matter had been linked to agreement on derestriction procedures, on which he was still not in a position to submit a draft decision for consideration.

At the General Council meeting on 18 July 1996, the Chairman drew attention to the draft guidelines for arrangements on relations with non-governmental organizations which had been agreed in informal consultations held in 1995 and held in abeyance pending a decision on procedures for the circulation and derestriction of WTO documents. Since the latter had been adopted earlier at that meeting<sup>8</sup>, he proposed that the guidelines on relations with non-governmental organizations also be adopted.

The General Council so agreed (WT/L/162).

- ( ) Compliance with the obligations of Articles 70.8 and 70.9 of the TRIPS Agreement  
(WT/GC/W/10)

At the General Council meeting on 6 February 1996, the representative of the United States expressed concern that a number of countries had not complied with the obligations of Articles 70.8 and 70.9 of the TRIPS Agreement and reserved his delegation's rights for future action in this regard.

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<sup>7</sup>See under point [...] - "Election of Chairperson".

<sup>8</sup>See under point [...] - "Procedures for the circulation and derestriction of WTO documents".

( ) WTO Press Release on Trade and Foreign Direct Investment (WT/GC/M/15)

At the General Council meeting on 14 October 1996, the representative of India expressed concern at the recent issuance by the Secretariat of a Press Release entitled "Trade and Foreign Direct Investment - New Report by the WTO", which raised the fundamental and important issue of the role of the Secretariat and its relationship with Members.

( ) Administrative matters

( ) Offices of the Deputy Directors-General (WT/GC/M/11)

At the General Council meeting on 16 April 1996, the Director-General proposed that since preparations for the Ministerial Conference in December 1996 would require all the attention of Members, the contracts of the three Deputy Directors-General, Messrs. Hoda, Lavorel and Seade, which were due to expire on 31 July 1996, be extended for a period of one year, and that he initiate consultations on further renewals or new appointments early in 1997, well in advance of the date of expiration of their terms of office.

The General Council agreed to proceed as suggested by the Director-General if this matter were not raised again at its next meeting.

( ) Staff-related matters (WT/GC/M/10)

At its meeting on 6 February 1996, the Director-General recalled the Decision of the General Council at its meeting on 30 October 1995 with regard to the review of the question of salaries, pensions and other conditions of service of WTO staff (WT/L/91), and outlined reasons for which it was urgent for the General Council to resume consideration of these questions in order to reach decisions as soon as possible. He proposed that informal consultations by the Chairman would be appropriate for this purpose.

The General Council agreed that its Chairman hold informal consultations on these matters.

( ) Pensions and salaries of WTO staff (WT/GC/M/15)

At the General Council meeting on 14 October 1996, the Chairman said that in informal consultations held recently, no consensus had been possible on the text of a draft proposal on conditions of service for WTO staff that he had circulated, and that he would continue his consultations on this matter.

( ) Observer status

( ) Governments  
- Georgia (WT/GC/M/12)

At its meeting on 26 June 1996, the General Council granted observer status to Georgia.

( ) International intergovernmental organizations (WT/GC/M/10, 11, 12, 13, 14, 15)

At the General Council meeting on 6 February 1996, the Chairman said it was his understanding that pending agreement on guidelines for observer status for international organizations, the United Nations, UNCTAD, IMF, World Bank, FAO, WIPO and OECD would be invited to the next meeting of the General Council, in accordance with the *ad hoc* arrangements approved on 16 March 1995.<sup>9</sup>

At the General Council meeting on 16 April 1996, the Chairman recalled his earlier understanding on this matter.

At the General Council meeting on 26 June 1996, the Chairman recalled his earlier understanding on this matter.

At the General Council meeting on 18 July 1996, the Chairman said it was his understanding that, pending agreement on the organizations to be accorded observer status in the General Council in accordance with the guidelines for such status agreed on 18 July<sup>10</sup>, the United Nations, UNCTAD, IMF, World Bank, FAO, WIPO and OECD would be invited to the next meeting of the General Council.

At the General Council meeting on 2 October 1996, the Chairman recalled his previous understanding on this matter.

At the General Council meeting on 14 October 1996, the Chairman recalled his previous understanding on this matter.

( ) Guidelines on observer status for international intergovernmental organizations (WT/GC/M/12, 13)

At the General Council meeting on 26 June 1996, the Chairman recalled that agreement on guidelines on observer status for international intergovernmental organizations had been awaiting agreement on the participation of organizations as observers in the Dispute Settlement Body and that an essential aspect of this would be the arrangements for cooperation between the WTO and the IMF and the World Bank that were presently under consideration. The guidelines therefore could not yet be finalized.

At the General Council meeting on 18 July 1996, the Chairman recalled that Members had thus far considered that guidelines on observer status for international organizations could not be adopted until agreement had been reached on arrangements for cooperation between the WTO and the IMF and World Bank. Pending the approval of those arrangements, he proposed that Members agree on the text as contained in PC/IPL/W/14, with an amendment to paragraph 3 thereof, which would not prejudice the outcome of the consultations on the above arrangements, but which would at the same time enable the General Council to adopt guidelines at the present time. This would allow the WTO to settle the question of the attendance of international intergovernmental organizations in WTO bodies in time for decisions to be taken regarding the participation of observer organizations at the Ministerial Conference in Singapore.

The General Council adopted the guidelines on observer status for international intergovernmental organizations proposed by the Chairman (WT/L/161, Annex 3).

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<sup>9</sup>See WT/GC/M/3, Item 3.

<sup>10</sup>See under sub-point [...] below - "Guidelines on observer status for international intergovernmental organizations".

( ) Election of Chairperson (WT/GC/M/10)

At the General Council meeting on 6 February 1996, as the outgoing presiding officer of the General Council, the Chairman made a statement on the work of the General Council in 1995 (WT/GC(96)/ST/1).

The General Council then unanimously elected Mr. Rossier (Switzerland) to the Chair.