

BOLIVIA - ESTABLISHMENT OF A NEW SCHEDULE LXXXIV

Extension of Time-Limit

Decision of 24 April 1997¹

Considering that the CONTRACTING PARTIES, by a Decision of 3 December 1992², suspended application of the provisions of Article II of GATT 1947 to enable the Government of Bolivia to implement the NANDINA (Harmonized System) and carry out negotiations subsequently;

Taking into account that, by successive decisions, the waiver granted to Bolivia was extended to 30 April 1997³;

Considering that the footnote to Annex IA, Section on GATT 1994, subparagraph 1(b)(iii) of the Agreement Establishing the World Trade Organization requires the Ministerial Conference to establish at its first session a revised list of waivers granted under Article XXV of GATT 1947 and still in force on the date of entry into force of the WTO Agreement;

Considering that by a Decision of 31 January 1995⁴ the General Council established a list of waivers existing at the entry into force of the WTO Agreement, which included the waiver granted to Bolivia for the establishment of a new Schedule LXXXIV;

Considering that paragraph 2 of the Understanding in Respect of Waivers of Obligations under the General Agreement on Tariffs and Trade 1994 provides that any waiver in effect on the date of entry into force of the WTO Agreement shall terminate unless extended in accordance with the procedures set out in paragraph 1 of the aforementioned Understanding and those of Article IX of the WTO Agreement on the date of its expiry or two years from the date of entry into force of the WTO Agreement, whichever is earlier;

Noting that the Government of Bolivia has provided the Secretariat of the WTO with the documentation required for renegotiations under Article XXVIII of the General Agreement, which has been distributed in document G/SECRET/HS/7;

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¹Adopted in accordance with the Procedures on WTO Decision-Making under Articles IX and XII of the WTO Agreement agreed by the General Council (WT/L/93).

²BISD 39S/382.

³WT/L/165.

⁴WT/L/3 and Corr.1.

Noting that the Government of Bolivia has entered into negotiations with two countries, in accordance with paragraphs 1 to 3 of Article XXVIII, and has satisfactorily completed the consultation process with one of them;

Considering that the HS Schedule is being thoroughly reviewed in the capital in order to respond definitively to the outstanding questions;

Considering that the Government of Bolivia expresses its wish and its intention to complete the process of revision in a few months in order to be able to finalize its consultations;

Considering that, consequently, the Government of Bolivia, having fulfilled the requirements of paragraph 1 of the Understanding in Respect of Waivers of Obligations under the GATT 1994, has requested a further extension of the waiver of its obligations under Article II of GATT 1994⁵, in order to be able to conclude its consultations with the interested Members;

The General Council, acting pursuant to the provisions of Article IX of the WTO Agreement,

Decides, in view of the exceptional circumstances, to extend the time-limit set in the Decision of 3 December 1992 until 31 October 1997.

⁵G/L/161.