

WORLD TRADE ORGANIZATION

RESTRICTED

G/C/W/8/Rev.1

11 July 1995

(95-1912)

COUNCIL FOR TRADE IN GOODS
3 July 1995

SENEGAL - RENEGOTIATION OF SCHEDULE XLIX

Draft Decision on Extension of Time-Limit

Revision

Considering that the CONTRACTING PARTIES to GATT 1947, by Decision of 7 December 1990¹ and successive decisions, suspended the application of the provisions of Article II of GATT 1947 to the extent necessary to enable the Government of the Republic of Senegal to implement its new tariff resulting from a thorough reorganization of the table of duties and fees in its customs tariff and the introduction of the Harmonized Commodity Description and Coding System (Harmonized System), and thereafter to conduct negotiations;

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 1995² the General Council established a list of waivers existing at the entry into force of the WTO Agreement, which included the waiver granted to Senegal for the renegotiation of a new Schedule XLIX.

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:

Taking into account that Senegal has submitted the documentation necessary for the renegotiations under Article XXVIII in August and November 1993³;

Noting that the renegotiations have not yet been completed, but that the Government considers that it will be able to reach conclusions within a reasonable time-limit;

¹BISD 37S/295.

²WT/L/3 and Corr.1

³SECRET/341 + Add.1.

Considering that the Government of Senegal, having fulfilled the requirements of paragraph 1 of the Understanding in Respect of Waivers of Obligations under the GATT 1994, has requested a further six-month extension until 31 December 1995⁴, in order to complete the negotiations and consultations provided for by the procedures under Article XXVIII;

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

Decides, in view of the exceptional circumstances outlined above, to extend the waiver granted to Senegal by the Decision of 7 December 1990 until 31 December 1995.

⁴G/L/7.