

ZAMBIA - RENEGOTIATION OF SCHEDULE LXXVIII

Extension of Time-Limit

Decision of 13 December 1995¹

Considering that the CONTRACTING PARTIES to GATT 1947, by their Decision of 26 November 1993², suspended the application of the provisions of Article II of GATT 1947 to the extent necessary to enable the Government of Zambia to implement the Harmonized Commodity Description and Coding System (Harmonized System) on 1 January 1988 and carry out negotiations subsequently;

Considering that the footnote to Annex IA, Section on GATT 1994, sub-paragraph 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 1995³ the General Council established a list of waivers existing at the time of entry into force of the WTO Agreement, which included the waiver granted to Zambia for the renegotiation of its Schedule LXXVIII;

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 the relevant documentation necessary for renegotiations under Article XXVIII is under preparation and will be completed in the near future with the assistance of the WTO Secretariat;

Considering that the Government of Zambia, 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 exemption of its obligations under Article II of GATT 1994⁴;

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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).

²L/7329.

³WT/L/3 + Corr.1.

⁴G/L/53.

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 Zambia by the Decision of 26 November 1993, until 30 June 1996.