

WORLD TRADE ORGANIZATION

RESTRICTED

WT/L/99

24 November 1995

(95-3669)

ACCESSION OF PAPUA NEW GUINEA

On 15 November 1995 the General Council adopted a Decision (WT/L/98) to the effect that the Government of Papua New Guinea may accede to the WTO Agreement on the terms set out in the Protocol for the Accession of Papua New Guinea, the text of which was approved at the General Council meeting on 15 November 1995.

The Protocol is open for acceptance by Papua New Guinea in the office of the Director of the Legal Affairs Division (telephone 739 52 52).

**DRAFT PROTOCOL OF ACCESSION OF PAPUA NEW GUINEA
TO THE AGREEMENT ESTABLISHING THE
WORLD TRADE ORGANIZATION**

The World Trade Organization (hereinafter referred to as the "WTO"), pursuant to the approval of the General Council of the WTO accorded under Article XII of the Marrakesh Agreement Establishing the World Trade Organization (hereinafter referred to as "WTO Agreement"), and Papua New Guinea,

Recalling that certain contracting parties which became contracting parties to the GATT 1947 during the course of 1994 were unable to complete the negotiations on their schedules to the GATT 1994 and the General Agreement on Trade in Services (hereinafter referred to as the "GATS"),

Recalling further that the General Council decided on 31 January 1995 that these contracting parties to the GATT 1947 should be able to accede to the WTO Agreement in accordance with special procedures under which the General Council's approval of the schedules to the GATT 1994 and the GATS shall be deemed to be the approval of their terms of accession,

Noting that the negotiations on the schedules of Papua New Guinea have been completed,

Agree as follows:

Part I - General

1. Upon entry into force of this Protocol, Papua New Guinea accedes to the WTO Agreement pursuant to Article XII of that Agreement and thereby becomes a Member of the WTO.
2. The WTO Agreement to which Papua New Guinea accedes shall be the WTO Agreement as rectified, amended or otherwise modified by such legal instruments as may have entered into force before the date of entry into force of this Protocol. This Protocol shall be an integral part of the WTO Agreement.
3. (a) Those obligations in the Multilateral Trade Agreements annexed to the WTO Agreement that are to be implemented over a period of time starting with the entry into force of that Agreement shall be implemented by Papua New Guinea as if it had accepted that Agreement on the date of its entry into force.

(b) Those notifications that are to be made under the Multilateral Trade Agreements annexed to the WTO Agreement within a specified period of time starting with the date of entry into force of the WTO Agreement shall be made by Papua New Guinea within that period of time starting with the date on which it accepts this Protocol or by 31 December 1996, whichever is earlier.

Part II - Schedules

4. The Schedules annexed to this Protocol shall become the Schedule of Concessions and Commitments annexed to the General Agreement on Tariffs and Trade 1994 (hereinafter referred to as the "GATT 1994") and the Schedule of Specific Commitments annexed to the GATS relating to Papua New Guinea. The staging of concessions and commitments listed in the Schedules shall be implemented as specified in the relevant parts of the respective Schedules.

5. For the purpose of the reference in paragraph 6(a) of Article II of the GATT 1994 to the date of that Agreement, the applicable date in respect of the Schedules of Concessions and Commitments annexed to this Protocol shall be the date of entry into force of this Protocol.

Part III - Final Provisions

6. This Protocol shall be open for acceptance, by signature or otherwise, by Papua New Guinea until 90 days after its approval by the General Council.

7. This Protocol shall enter into force on the thirtieth day following the day of its acceptance.

8. This Protocol shall be deposited with the Director-General of the WTO. The Director-General of the WTO shall promptly furnish a certified copy of this Protocol and a notification of acceptance thereto pursuant to paragraph 6 to each member of the WTO and to Papua New Guinea.

9. This Protocol shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at Geneva this fifteenth day of November one thousand nine hundred and ninety-five, in a single copy in the English, French and Spanish languages each text being authentic, except that the Schedules annexed to this Protocol are authentic only in the English language.