

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Preferential Arrangements  
Among Developing Countries  
Negotiated in GATT

## COMMITTEE OF PARTICIPATING COUNTRIES

### Accession to the Protocol Without Negotiations

#### Note by the Secretariat

1. At its April 1975 meeting, the Committee of Participating Countries asked the secretariat to prepare a note, for consideration at its next meeting, outlining possible terms and conditions which might be appropriate where countries apply for accession to the Protocol without negotiations.
2. Paragraph 14 of the Protocol provides, *inter alia*, that "The Committee may agree that an applicant country may accede to the Protocol without such negotiations on terms agreed with the Committee." Presumably, a country applying for accession under this provision would specify the reasons in support of its application for accession without negotiations. In addition, the applicant country could be expected to provide details of its foreign trade régime together with relevant information on trade flows etc.<sup>1</sup>
3. It may be recalled that at its December 1974 meeting, the Committee had a preliminary exchange of views on the possible terms of accession in cases where an application was made for accession to the Protocol without negotiations (CPC/17, paragraphs 13-15). It was generally agreed that applications of this nature would need to be considered on a case by case basis. Having regard to the discussions at that time, it would seem that the following points would be relevant to any consideration of possible terms and conditions where countries apply for accession without negotiations:
  - (a) The acceding country shall, consistent with its rules and regulations applying to the conduct of foreign trade, co-operate with participating countries in promoting the objectives contained in the Protocol Relating to Trade Negotiations Among Developing Countries.

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<sup>1</sup>In this respect, information concerning the foreign trade régime of Paraguay (L/4159) has been made available to members of the Committee under cover of document CPC/19. A copy of the Paraguayan customs tariff is available for reference in the secretariat.

(b) Duties and other regulations of commerce applied by the acceding country to participating countries shall not be higher or more restrictive than duties and regulations of commerce applicable to countries entitled to most-favoured-nation treatment in the acceding country.

(c) Products originating in the acceding country shall be entitled to the treatment provided for in the schedules of concessions annexed to the Protocol Relating to Trade Negotiations Among Developing Countries; however, the acceding country shall not have any direct rights with respect to those concessions.

(d) The acceding country shall comply with the provisions governing the application of rules of origin contained in Annex A to the Protocol Relating to Trade Negotiations Among Developing Countries. Relevant information on rules of origin and certifying agencies shall be provided by the acceding country to the Committee of Participating Countries within ninety days from the date of its acceptance of the Protocol of Accession.

(e) The acceding country shall promptly notify to the Committee of Participating Countries any changes in its foreign trade régime which may affect the trade interests of participating countries.

(f) If the acceding country institutes or intensifies quantitative restrictions or other measures limiting imports because of balance-of-payments difficulties immediate notice of such action shall be given to the Committee of Participating Countries and the acceding country shall provide adequate opportunity for consultation in respect of such action where it may adversely affect the trade interests of a participating country.

(g) The acceding country shall provide the Committee of Participating Countries with details of imports originating from participating countries on an annual basis and with such other trade information as the Committee may require for the discharge of its functions under paragraph 4 of the Protocol Relating to Trade Negotiations Among Developing Countries.

(h) The provisions outlined above relating to accession without negotiations shall be valid for a period of    years from the date of acceptance of the Protocol of Accession by the acceding country. Prior to the expiration of this period, the acceding country might apply for an extension of the duration of the Protocol of Accession or enter into negotiations with participating countries for an exchange of concessions. The Committee of Participating Countries shall consider any such request and in this connexion adopt a decision in accordance with the provisions of paragraphs 4 and 14 of the Protocol Relating to Trade Negotiations Among Developing Countries.

(i) The acceding country shall become a full member of the Committee of Participating Countries thirty days after its acceptance of the Protocol of Accession.

(j) The Protocol Relating to Trade Negotiations Among Developing Countries shall not apply as between the acceding country and participating countries not consenting to such application in accordance with paragraph 15 of the Protocol.

4. In the light of the discussions on the possible terms and conditions for accession without negotiation, the secretariat could, if the Committee so wished, prepare for consideration a draft Protocol for the accession of Paraguay to the Protocol Relating to Trade Negotiations Among Developing Countries for discussion with the delegation of Paraguay.