

GENERAL AGREEMENT ON

TARIFFS AND TRADE

RESTRICTED

L/7181

19 March 1993

Limited Distribution

ACCESSION OF THE CZECH REPUBLIC

On 19 February 1993, the CONTRACTING PARTIES adopted a Decision (L/7180) to the effect that the Government of the Czech Republic may accede to the General Agreement on terms set out in the Protocol for the Accession of the Czech Republic, the text of which was approved by the Council of Representatives on 9-10 February 1993 (C/M/261). The text of the Protocol is annexed hereto.

The Protocol is open for acceptance in the Office of the Special Adviser to the Director-General*.

* Room 2017, telephone 739 52 52.

PROTOCOL FOR THE ACCESSION OF THE CZECH REPUBLIC
TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

The governments which are contracting parties to the General Agreement on Tariffs and Trade (hereinafter referred to as "contracting parties" and the "General Agreement", respectively), the European Economic Community and the Government of the Czech Republic (hereinafter referred to as "the Czech Republic"),

Noting that the Czech Republic is a successor State to the Czech and Slovak Federal Republic, formerly known as Czechoslovakia, and that, on 3 December 1992, the CONTRACTING PARTIES decided to apply, on an interim basis, the General Agreement and the relevant instruments negotiated under its auspices to the Czech Republic,

Having regard to the request by the Government of the Czech Republic to accede to the General Agreement on the terms applied to the Czech and Slovak Federal Republic including in particular the concessions set out in Schedule X,

Having regard to the Decision adopted on 3 December 1992 concerning the preparation of the Protocol of Accession of the Czech Republic.

Have through their representatives agreed as follows:

PART I - GENERAL

1. The Czech Republic shall, upon entry into force of this Protocol pursuant to paragraph 7, become a contracting party to the General Agreement, as defined in Article XXXII thereof, the date of entry into force of the rights and obligations of the Czech Republic being 1 January 1993, and shall apply to contracting parties provisionally and subject to this Protocol:

- (a) Parts I, III and IV of the General Agreement, and
- (b) Part II of the General Agreement to the fullest extent not inconsistent with the relevant legislation of Czechoslovakia existing on 20 April 1948.

The obligations incorporated in paragraph 1 of Article I by reference to Article III and those incorporated in paragraph 2(b) of Article II by reference to Article VI of the General Agreement shall be considered as falling within Part II for the purpose of this paragraph.

2. (a) The provisions of the General Agreement to be applied to contracting parties by the Czech Republic shall, except as otherwise provided in this Protocol, be the provisions contained in the text annexed

to the Final Act of the second session of the Preparatory Committee of the United Nations Conference on Trade and Employment, as rectified, amended or otherwise modified by such instruments as may have become effective on the day on which the Czech Republic becomes a contracting party.

(b) In each case in which paragraph 6 of Article V, sub-paragraph 4(d) of Article VII, and sub-paragraph 3(c) of Article X of the General Agreement refer to the date of that Agreement, the applicable date in respect of the Czech Republic shall be the date applicable to Czechoslovakia, i.e. 20 April 1948.

3. It is the intention of the Czech Republic, immediately upon its accession to the General Agreement, to request membership of the following instruments negotiated under the auspices of the General Agreement: the Arrangement Regarding International Trade in Textiles and its Protocols of Extension, the Agreement on Technical Barriers to Trade, the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade, the Agreement on Import Licensing Procedures and the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade. Moreover, the Czech Republic reaffirms that the exception in paragraph 1(b) above does not apply to relevant legislation enacted after 20 April 1948, which will be implemented in conformity with the Articles and practices of the General Agreement.

PART II - SCHEDULE

4. The schedule in the Annex shall, upon the entry into force of this Protocol, become a schedule to the General Agreement relating to the Czech Republic.

5. (a) In each case in which paragraph 1 of Article II of the General Agreement refers to the date of the Agreement, the applicable date in respect of each product which is the subject of a concession provided for in the Schedule annexed to this Protocol shall be the date of the instrument providing for the concession.

(b) For the purpose of the reference in paragraph 6(a) of Article II of the General Agreement to the date of that Agreement, the applicable date in respect of the Schedule annexed to this Protocol shall be the date of the instrument providing for the concession.

PART III - FINAL PROVISIONS

6. This Protocol shall be deposited with the Director-General to the CONTRACTING PARTIES. It shall be open for acceptance, by signature or otherwise, by the Czech Republic until 1 May 1993. It shall also be open for acceptance by contracting parties and by the European Economic Community.

7. This Protocol shall enter into force on the thirtieth day following the day upon which it shall have been accepted by the Czech Republic.

8. The Czech Republic having become a contracting party to the General Agreement pursuant to paragraph 1 of this Protocol, may accede to the General Agreement upon the applicable terms of this Protocol by deposit of an instrument of accession with the Director-General. Such accession shall take effect on the day on which the General Agreement enters into force pursuant to Article XXVI or on the thirtieth day following the day of the deposit of the instrument of accession, whichever is the later. Accession to the General Agreement pursuant to this paragraph shall, for the purposes of paragraph 2 of Article XXXII of that Agreement, be regarded as acceptance of the Agreement pursuant to paragraph 4 of Article XXVI thereof.

9. The Czech Republic may withdraw its provisional application of the General Agreement prior to its accession thereto pursuant to paragraph 8 and such withdrawal shall take effect on the sixtieth day following the day on which written notice thereof is received by the Director-General.

10. The Director-General shall promptly furnish a certified copy of this Protocol and a notification of each acceptance thereof, pursuant to paragraph 6 to each contracting party, to the European Economic Community, and to the Czech Republic.

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

DONE at Geneva this nineteenth day of February one thousand nine hundred and ninety-three, in a single copy, in the English, French and Spanish languages, except as otherwise specified with respect to the Schedule annexed hereto, each text being authentic.