

GENERAL AGREEMENT ON

TARIFFS AND TRADE

L/7286

23 July 1993

Limited Distribution

OBSERVER STATUS OF GOVERNMENTS IN THE COUNCIL OF REPRESENTATIVES

Decision of 21 July 1993

Considering the desirability to provide for governments wishing to accede to the General Agreement an adequate opportunity to acquaint themselves with the GATT and its activities; and

Taking into account the need to further improve channels of communication and information between such governments and contracting parties;

The Council decides the following:

1. Governments wishing to request Observer status in the Council should address to the CONTRACTING PARTIES a communication in which they express the intent to initiate negotiations for accession to the General Agreement within a maximum period of five years, and provide a description of their current economic and trade policies, as well as any intended future reforms of these policies. They should further indicate their acceptance of obligations or requirements, including financial obligations, that may be determined by the CONTRACTING PARTIES to apply to Observer governments in the Council.
2. Observer status shall be granted initially for a period of five years. The purpose of observership is to allow a government to better acquaint itself with the GATT and its activities, and to prepare and initiate negotiations for accession to the General Agreement.
3. During this period an Observer government should provide the CONTRACTING PARTIES with any additional information it considers relevant concerning developments in its economic and trade policies. At the request of any contracting party or the Observer government itself, any matter contained in such information may be brought to the attention of the Council after governments have been allowed sufficient time to examine the information.
4. (a) If, at the end of five years, an Observer government has not yet initiated a process of negotiation with a view to acceding to the General Agreement, it may request an extension of its status as Observer. In order to do so, it shall submit to the Council a statement of the reasons for which it has not found it possible to initiate accession negotiations, as well as an indication of future plans in this respect. This communication should be accompanied by a comprehensive, up-dated description of its current economic and trade policies.

- (b) Upon receiving such a request, the Council shall review the situation, and decide upon the extension of the status of Observer and the duration of such extension.

5. Observer governments shall have access to the main GATT document series* and may participate as observers in Sessions of the CONTRACTING PARTIES and meetings of working parties and other subsidiary bodies of the Council with the exception of the Budget Committee. They may also request technical assistance from the Secretariat in relation to the operation of the GATT system in general, as well as to negotiations on accession to the General Agreement.

6. Upon their entry into force, the procedures contained in paragraphs 1 to 5 above shall apply as appropriate to all governments which are currently Observers to the Council, including those Observers which apply GATT on a de facto basis, except governments which are in the process of active negotiations on accession, or which are already contracting parties to the GATT.

*L/, C/, C/W/, etc.