

**GENERAL AGREEMENT
ON TARIFFS AND TRADE**

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**Sub-Committee on Trade
of Least Developed Countries
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**A DESCRIPTION OF THE PROVISIONS CONCERNING
LEAST-DEVELOPED COUNTRIES IN THE URUGUAY ROUND
AGREEMENTS, LEGAL INSTRUMENTS AND MINISTERIAL DECISIONS**

The purpose of this document is to provide a synoptic overview of the substance of the provisions in the Agreements, Legal Instruments and Ministerial Decisions resulting from the Uruguay Round negotiations which are of specific interest to least-developed countries. These descriptions do not imply any legal interpretation of such provisions by the GATT Secretariat.

This document includes all those provisions that specifically refer to least-developed countries, granting them a more favourable treatment than to other developing countries (these provisions have been shaded in the table). It also contains other provisions giving special benefits to developing countries at large (vis-à-vis developed countries), which apply to least-developed countries as well.

For ease of reference, the descriptions of the provisions have been broadly grouped under four headings: those which recognize least-developed/developing countries' interests in a general manner; those that require fewer obligations to be met; those that provide a longer time-frame for the implementation of certain obligations; and those that provide for technical assistance. Under each of the headings, the text is identified according to the Article, paragraph, etc. to which it relates in the Agreement, Legal Instrument or Ministerial Decision concerned. The degree of commitment in favour of the least-developed/developing countries varies across the provisions, some of them containing firm commitments while others amount to "best-endeavours" efforts.

Recognition of Interests	Fewer Obligations	Implementation Period Technical Assistance
Decision on Measures in Favour of Least-Developed Countries		
	<p>It is recognized that the effective participation of LLDCs in the world trading system will require improved trade opportunities for products of interest to them. Their participation in the multilateral trading system should be seen in the light of their special financial, development and trade needs, as recognized in a number of GATT decisions related to special and differential treatment.</p> <p><i>(Preamble)</i></p>	<p>The LLDCs are to be given additional time of one year from the Marrakesh Ministerial Session concluding the Uruguay Round negotiations (i.e. until 15 April 1995) to submit their schedules as required in Article XI of the Agreement Establishing the WTO.</p> <p><i>(Paragraph 1)</i></p>
	<p>Expedited implementation of all special and differential measures taken in favour of LLDCs is to be ensured through, <i>inter alia</i>, regular reviews (which currently take place in the Committee on Trade and Development).</p> <p><i>(Paragraph 2(i))</i></p>	<p>To the extent possible, Uruguay Round concessions on tariffs and non-tariff measures applied on products of export interest to LLDCs may be implemented simultaneously, in advance and without staging. Consideration is to be given to improve preferential treatment on such products.</p> <p><i>(Paragraph 2(ii))</i></p>
		<p>Rules and transitional provisions resulting from the Uruguay Round should be applied in a flexible and supportive manner for the LLDCs, including the delegations and authorizations that are to be arrived at by appropriate Councils and Committees for different situations (such as extensions of transition periods, time-limited exemptions, etc.).</p> <p><i>(Paragraph 2(iii))</i></p>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
contd. Decision on Measures in Favour of Least-Developed Countries			
When applying import relief measures and other measures permitted under the General Agreement, Members are to give special consideration to the export interests of LLDCs. <i>(Paragraph 2(iv))</i>	There will be a continued review of the LLDCs' problems and a continued attempt to adopt positive measures which facilitate the expansion of their trading opportunities. <i>(Paragraph 3)</i>		

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Agreement Establishing the World Trade Organization			
It is recognized that one of the objectives of the WTO will be to ensure that developing country Members, and especially the LLDCs, secure a share in the growth of international trade that is commensurate with their economic development needs. There is also recognition that this objective will require a number of positive efforts from all Members. <i>(Preamble)</i>	As part of its functions, the Committee on Trade and Development shall periodically review the special provisions in the Multilateral Trade Agreements in favour of the LLDCs and report to the General Council for appropriate action. <i>(Article IV:7)</i>		
	To become original Members, LLDCs (recognized as such by the United Nations) will only be required to undertake commitments and concessions to the extent consistent with their individual development, financial and trade needs, or their administrative and institutional capabilities. <i>(Article XI:2)</i>		

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
General Agreement on Tariffs and Trade 1994			
		<p>Schedules of LLDC Members may be submitted by 15 April 1993 (instead of 15 December 1993). Their schedules will also be annexed to this Marrakesh Protocol. (<i>Marrakesh Protocol</i>)</p>	<p>Technical assistance services of the WTO Secretariat shall be available to assist any developing country Member in preparing documentation for the balance-of-payments consultations. (<i>Understanding on the Balance-of-Payments Provisions</i>, paragraph 12)</p>
		<p>Balance-of-payments consultations may be held under simplified procedures in the case of LLDCs, subject to a decision by the BCP Committee, based on the factors enumerated in the 1979 Declaration on Trade Measures Taken for Balance-of-Payments Purposes. More than two successive consultations under simplified procedures can be held only in the case of LLDCs. (<i>Understanding on the Balance-of-Payments Provisions</i>, paragraph 8)</p>	<p>In the case of developing country Members, Secretariat background documentation will include relevant background and analytical material on the external trading environment, as well as on the balance-of-payments situation and prospects of the consulting Member. (<i>Understanding on the Balance-of-Payments Provisions</i>, paragraph 12)</p>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Agreement on Agriculture			
<p>Special and differential treatment to developing country Members is an integral element of the negotiation, and shall be applied accordingly.</p> <p>Within the negotiations for continuing reform in agricultural trade, account is to be taken of special and differential treatment to developing countries. <i>(Preamble, and Articles 15.1 and 20(c))</i></p>	<p>Developing country Members are not required to conform to the provision stating that, in applying an export prohibition or restriction on foodstuffs, due consideration should be given to the effect of such a measure on importing Members' food security (and be previously notified to the Committee on Agriculture), unless they are net-exporters of the concerned foodstuff. <i>(Article 12.2)</i></p>	<p>LLDCs are not required to undertake reduction commitments in market access, domestic support or export subsidies. <i>(Article 15.2)</i></p>	<p>Account is to be taken of the possible negative effects of the implementation of the reform programme on LLDC and net-food importing developing country Members. Developed country Members are to take actions as provided for within the Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least Developed and Net Food Importing Developing Countries. <i>(Preamble and Article 16.1)</i></p> <p>Developed country Members will provide greater market access for agricultural products of particular interest to developing country Members, including the fullest liberalization of trade in tropical agricultural products and products substituting for illicit narcotic crops. <i>(Modalities for the Establishment of Specific Binding Commitments, paragraph 17)</i></p>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Agreement on the Application of Sanitary and Phytosanitary Measures			
There is a need to assist developing country Members in reacting to the special difficulties encountered in complying with the SPS measures of importing countries (which limit their access to external markets), and in formulating and applying SPS measures in their own territories. <i>[Preamble]</i>	Upon request, the Committee on SPS Measures is enabled to grant to a developing country Member, specified, time-limited exceptions in whole or in part, from obligations under this Agreement, taking into account its financial, development and trade needs. <i>[Article 10.3]</i>	Technical assistance (in the areas of processing technologies, research and infrastructure and training) will be facilitated to developing country Members, either bilaterally or multilaterally, so as to comply with their trading partners' requirements. It may take the form of advice, credits, donations and grants. <i>[Article 9.1]</i>	Where substantial investments are required in order for an exporting developing country Member to fulfil the SPS requirements of an importing Member, the latter is to consider providing the necessary technical assistance. <i>[Article 9.2]</i>
Members are to take into account the special needs of developing country Members, and in particular of the LLDCs, in the preparation and application of SPS measures. <i>Article 10.1]</i>	LLDCs may delay, for a period of five years following the entry into force of the WTO, the application of all of the provisions of this Agreement related to their measures affecting imports; no delay is envisaged for the application of their obligation to provide, upon request, an explanation of the reasons for the introduction of a SPS measure and the obligation to notify and provide information on such measures. <i>[Article 14]</i>	Members should encourage and facilitate the active participation of developing country Members in international organizations related to SPS regulations. <i>[Article 10.4]</i>	The WTO Secretariat will draw the attention of developing country Members to any notification relating to products of particular interest to them. <i>[Annex B, paragraph 9]</i>
Members should accord longer time-frames for compliance with their new SPS measures on products of interest to developing country Members, where there is scope for a phased introduction of these new measures. <i>[Article 10.2]</i>	Except in urgent circumstances, Members are to allow a reasonable interval between the publication and entry into force of a SPS regulation for producers in exporting Members, particularly in developing country Members, to adapt their products and methods of production to these requirements. <i>[Annex B, paragraph 2]</i>		

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Agreement on Textiles and Clothing			
<i>LLDCs should be accorded special treatment.</i> <i>(Preamble)</i>	<p>Exports from LLDCs may benefit, to the extent possible, from provisions permitting meaningful increases in access possibilities to small suppliers and allowing new entrants to trade in this sector to develop commercially significant trading opportunities; exporters who are subject to MFA quotas and whose restrictions in volume terms are 1.2 per cent, or less, of total restrictions in an importing Member as of 31 December 1991, move ahead one stage in the growth process (or an equivalent benefit by mutual agreement).</p> <p><i>Article 1.2, footnote 1, and Article 2.18]</i></p>	<p>MFA members without restrictions (including a few LLDCs) are required to notify full details of their first integration programme within the 60 days following the entry into force of the Agreement, and non-MFA members (i.e., most LLDCs), within the first year of operation.</p> <p><i>[Article 2.7]</i></p>	<p>MFA members without restraints (including a few LLDCs) have 60 days after entry into force of the Agreement, and non-MFA members (i.e., most LLDCs) have 6 months, to give notice as to whether they wish to have the right to use the special transitional safeguard mechanism.</p> <p><i>[Article 6.1]</i></p>
			<p>In transitional safeguard actions, LLDCs are singled out for significantly more favourable treatment than that provided for small suppliers, wool producers, exporting countries and countries having a significant proportion of their trade in outwards processing, in relation to the application of quota base levels, growth rates and flexibility. Special consideration to LLDCs should be preferable with respect to all those elements, but at least in overall terms.</p> <p><i>[Article 1.2, footnote 1, and Article 6.5]</i></p>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
contd. Agreement on Textiles and Clothing	<p>Cotton producing exporting Members have particular interests which should be reflected, in consultation with them, in the implementation of the Agreement. <i>[Article I.2, paragraph 4]</i></p> <p>Transitional safeguards cannot be taken against: exports of handloom fabrics from developing country Members; hand-made cottage industry products or folklore handicrafts when properly certified; historically traded products such as bags, sacks, etc. from jute and some other fibres; and pure silk products. <i>[Annex, paragraph 3]</i></p>		

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Agreement on Technical Barriers to Trade			
It is recognized that developing country Members, which may encounter special difficulties in the formulation and application of technical regulations and standards and procedures for the assessment of conformity, may need assistance from Members of the Agreement. <i>[Preamble]</i>	Developing country Members should not be expected to use international standards which are not appropriate to their situation, as a basis for their technical regulations, standards or test methods. <i>[Article 12.4]</i>	Upon request, a developing country Member may be granted, by the Committee on Technical Barriers to Trade, specified, time-limited exceptions in whole or in part from obligations under this Agreement. The Committee shall, in particular, take into account the special problems of the LLDCs. <i>[Article 12.8]</i>	The WTO Secretariat will draw the attention of developing country Members to any notification relating to products of particular interest to them. <i>[Article 10.6]</i>
	Except in cases of safety, health, environmental protection or national security urgencies, Members are to allow a reasonable interval between the publication and entry into force of a technical regulation - or of requirements concerning conformity assessment procedures - for producers in exporting Members, particularly in developing country Members, to adapt their products or methods of production to these requirements. <i>[Articles 2.12 and 5.9]</i>		Priority shall be given to the needs of LLDCs in providing technical assistance (upon request on mutually agreed terms and conditions). There is full obligation for all Members to provide technical assistance to developing country Members (participating in international or regional systems for conformity assessment) with regard to the preparation of technical regulations; the establishment of national standardizing bodies and participation in international standardizing bodies; the steps to be taken by developing country producers to have access to systems for conformity assessment within the territory of the Member receiving the request; and the establishment of the institutions and legal framework necessary to fulfill the obligations of membership or participation in these systems. There are also a number of second level obligations to give technical assistance. <i>[Article 11]</i>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
contd. Agreement on Technical Barriers to Trade			
			<p>Members are to grant technical assistance to developing country Members so as to ensure that the preparation and application of technical regulations, standards and conformity assessment procedures do not create unnecessary obstacles to the exports of developing country Members. Terms and conditions of technical assistance will be determined in light of the stage of development of the Member, particularly in the case of LLDCs. <i>[Article 12.7]</i></p>
			<p>The special development, financial and trade needs of developing country Members shall be taken into account by all Members in the implementation and operation of the Agreement both nationally and multilaterally, and in the preparation and application of their technical regulations, standards and conformity assessment procedures so as to ensure that they do not create unnecessary obstacles to exports from developing country Members. <i>[Articles 12.2 and 12.3]</i></p>
			<p>Members shall take such reasonable measures as may be available to them to ensure that: the organization and operation of international standardizing bodies and international systems for conformity assessment take into account the special problems of developing country Members; and upon request of developing country Members, international standardizing bodies will examine the possibility of preparing international standards concerning products of special interest to developing country Members. <i>[Articles 12.5 and 12.6]</i></p>
			<p>The special development, financial and trade needs of developing country Members shall be taken into account by developed Members, during consultation with respect to the special difficulties of developing country Members in formulating and implementing standards, technical regulations and conformity assessment procedures. <i>[Article 12.9]</i></p>
			<p>The Committee on Technical Barriers to Trade will periodically examine the special and differential treatment granted to developing country Members. <i>[Article 12.10]</i></p>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Agreement on Trade-Related Investment Measures			
<p>It is recognized that the expansion and progressive liberalization of trade and investment across international frontiers, aimed at increasing economic growth of all Members and especially that of developing country Members, is to take into account the particular trade, development and financial needs of developing country Members, particularly those of the LLDCs. <i>[Preamble]</i></p>	<p>Particular recognition is given to the right of developing country Members to temporarily apply TRIMs figuring in the Illustrative List in accordance with GATT Article XVIII:C (protection of infant industries) and rules on balance-of-payments safeguard measures (i.e. GATT Article XVIII:B, the 1979 Declaration and the Uruguay Round Understanding). <i>[Article 4]</i></p>	<p>LLDC Members will have a seven-year transitional period to eliminate all GATT inconsistent TRIMs. <i>[Article 5.2]</i></p>	<p>A developing country Member which demonstrates particular difficulties in implementing the provisions of the Agreement may have the transitional period extended by a decision by the Council for Trade in Goods. When analysing this question, the Council will take into account the individual development, financial and trade needs of the Member concerned. <i>[Article 5.3]</i></p>
Agreement on Implementation of Articles VI of the GATT (Anti-dumping)			
<p>Special regard must be given by developed country Members to the special situation of developing country Members when considering the application of anti-dumping measures. <i>[Article 15]</i></p>	<p>The possibility of finding constructive remedies provided by the Agreement has to be explored before applying anti-dumping duties which affect the essential interests of developing country Members. <i>[Article 15]</i></p>	<p>Fewer Obligations</p>	<p>Implementation Period</p>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Agreement on Implementations of Article VII of the GATT (Customs Valuation) and related decisions			
There is a recognition that the Agreement attempts to secure additional benefits for the trade of developing country Members. <i>(Preamble)</i>	Developing country Members may make a reservation permitting them to refuse a request from the importer to reverse the order of the fourth and fifth methods of valuation (i.e. deductive and computed value methods respectively). <i>(Annex III.3)</i>	Developing country Members which are not signatories of the Tokyo Round Agreement, but which have accepted the WTO, have a grace period of five years before applying the provisions of the Agreement. Developing countries have also the possibility of requesting an extension of this period. <i>Article 20.1 and Annex III.1</i>	Developing country Members have the right to request, and obtain, technical assistance from developed country Members. This may include the training of personnel, assistance in preparing implementation measures, access to sources of information regarding customs valuation methodology, and advice on the application of the provisions of the Agreement. <i>Article 20.3</i>
		If a developing country Member finds it is encountering a problem regarding the non-inclusion in the customs value of special discounts and commissions obtained by sole agents, sole concessionaires and sole distributors, it can request that a study be made with a view to finding appropriate solutions. <i>Annex III.5</i>	The Committee on Customs Valuation urges the Customs Co-operation Council to formulate and conduct studies in areas identified as being of potential concern to developing country Members, including those related to importations by sole agents, sole distributors and sole concessionaires. <i>Decision on Texts Relating to Minimum Values and Imports by Sole Agents, Sole Distributors and Sole Concessionaires, rev III</i>
		A developing country Member may reserve the right to value imported goods on the basis of the unit price of post-importation sale if the goods have undergone further processing in the country of importation. In such cases, this method of valuation shall be applied whether or not the importer so requests (developed country Members can do so only upon request of the importer). <i>Annex III.4</i>	

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
contd. Agreement on Implementation of Article VII of the GATT (Customs Valuation) and related decisions			
<p>Developing country Members may make a reservation to retain an otherwise prohibited system of officially established minimum values on a limited and transitional basis under such terms and conditions as may be agreed by the Committee. When this reservation is consented to, the Committee shall take into account the development, financial and trade needs of the Member concerned for determining the terms and conditions on the basis on which such practices would be allowed to be continued.</p> <p><i>(Annex II-2 and Decision on Texts Relating to Minimum Values and Imports by Sole Agents, Sole Distributors and Sole Concessionaires, text II)</i></p>			
Agreement on Preshipment Inspection			
<p>It is noted that developing country Members have recourse to PSI, and their need to do so for so long and insofar as it is necessary to verify the quality, quantity or price of imported goods is recognized. <i>(Preamble)</i></p>			
<p>Exporter Members shall offer to provide to user Members i.e. developing country Members - upon request, technical assistance on mutually agreed terms on a bilateral, plurilateral or multilateral basis. <i>(Article 3.3)</i></p>			

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Agreement on Import Licensing Procedures			
Members are to take into account the particular trade, development and financial needs of developing country Members. <i>(Preamble)</i>	To ensure transparency, Members using non-automatic import licensing regimes are to provide, upon request from other Members, all relevant information concerning the administration of restrictions, import licences granted over a recent period and, where practicable, import statistics of the products concerned. Developing country Members are not expected to undertake additional administrative or financial burdens in fulfilling this latter requirement. <i>(Article J.5(a)(iv))</i>	A developing country Member which is not currently a signatory of the Tokyo Round Agreement may, upon notification to the Committee, delay by a maximum of two years the implementation of the two following obligations: (a) to accept applications for automatic licences on any working day prior to the customs clearance of the goods, and (b) to grant automatic licences immediately on receipt, or within a maximum of ten working days, provided that applications for licences are submitted in appropriate and complete form. <i>(Article 2.2 and footnote 5)</i>	
	When ensuring that the administrative procedures implementing import licensing regimes are in conformity with GATT provisions and do not have trade-distorting effects, Members are to take into account the trade, development and financial needs of developing country Members. <i>(Article I.2)</i>	When allocating licences among importers, Members should give special consideration to those importers importing products originating in developing country Members and, in particular, in LLDCs. <i>(Article 3.5(f))</i>	

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Agreement on Subsidies and Countervailing Measures			
For the time period when export subsidies and subsidies contingent upon the use of domestic over imported goods granted by developing country Members are permitted, the relevant provision for dispute resolution is that relating to actionable subsidies (i.e. Article 7), and not that relating to prohibited subsidies (i.e. Article 4). <i>[Article 27.7]</i>	LLDCs are not subject to the prohibition on export subsidies applicable to other WTO Members. They are also given a longer period than other developing country Members to phase out export subsidies on products in which "export competitiveness", defined in terms of the share of the Member's export in world trade of that product, has been reached. <i>[Articles 27.2 and 27.5]</i>	The prohibition of the granting of subsidies on the use of domestic over imported goods does not apply to LLDC Members for a period of eight years. <i>[Article 27.3]</i>	An LLDC Member which attains "export competitiveness", defined in terms of the share of the Member's exports in world trade of a given product, has to phase out export subsidies on such product within eight years. <i>[Article 27.5]</i>
While actionable subsidies specified in Article 6.1 - total <i>ad valorem</i> subsidization of a product exceeding 5 per cent, subsidies to cover losses sustained by an industry or, with certain exceptions, by an enterprise, and direct forgiveness of debt and grants to cover debt repayment - are in general presumed to result in serious prejudice, such a presumption will not apply in the case of developing country Members. In these cases, serious prejudice has to be demonstrated on the basis of positive evidence. <i>[Article 27.8]</i>	Actionable subsidies, except those referred to above (specified in Article 6.1), granted by developing country Members are only actionable if they cause injury to an industry in the complainant's market, or nullify or impair other Members' benefits under GATT 1994 by displacing or impeding imports of like products into the subsidizing developing country Member's market. Serious prejudice (including displacement from third-country markets) is not actionable. <i>[Article 27.9]</i>		

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
contd. Agreement on Subsidies and Countervailing Measures			
Termination of a countervailing investigation is required where the volume of subsidized imports from a developing country Member is negligible, i.e., less than 4 per cent of the total imports of the like product in the importing Member, and if the total of the individual shares of imports from developing country Members, which are less than 4 per cent, is not more than 9 per cent of the total imports of that product in the importing Member. <i>[Article 27:10]</i>	During eight years from the date of entry into force of the WTO Agreement, termination of countervailing duty investigations against an LLDC is required where the level of subsidization is <i>de minimis</i> , defined in that case as 3 percent; the <i>de minimis</i> level will subsequently decrease to 2 per cent. <i>[Articles 27:10 and 27:11]</i>	The Subsidies Committee shall, upon request by a developing country Member, review the consistency of a Member's countervailing measure with the obligation to provide special and differential treatment for developing country Members. <i>[Article 27:15]</i>	

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
contd. Agreement on Subsidies and Countervailing Measures			
Direct forgiveness of debt and certain other subsidies are not actionable under multilateral rules when such subsidies are granted within, and directly linked to, a privatization programme of a developing country Member. Additional requirements are that the programme and subsidies have to be notified to the Committee, be in place for a limited period of time, and that the programme results in the eventual privatization of the enterprise concerned. Such subsidies do, however, remain countervailable in the same way as subsidies other than non-actionable subsidies. <i>(Article 27:1)</i>			
Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Agreement on Safeguards			
Imports originating in a developing country Member will be exempt from safeguard measures if (a) the share of imports of the product from the developing country Member in the total imports of that product in the importing Member does not exceed 3 per cent; and (b) the developing country Members with less than 3 per cent import share, collectively do not account for more than 9 per cent of the total imports of the product concerned in the importing Member. <i>(Article 9:1)</i>	Developing country Members are permitted to maintain their safeguard measures for two years longer than the maximum allowed for other Members, i.e., for 10 instead of 8 years. <i>(Article 9:2)</i>	For developing country Members, safeguard measures with a duration of more than 180 days but less than four years cannot be imposed for at least two years. If such safeguard measure has been in place for four years or more, it can be re-imposed after half the time period of its duration. <i>(Article 9:2)</i>	

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
General Agreement on Trade in Services and related decisions			
<p>There is a desire to establish a multilateral framework of principles and rules for trade in services, which would expand trade, as a means of promoting the economic growth of all trading partners and the development of developing country Members, and to facilitate the increasing participation of developing country Members in trade in services, and the expansion of their services exports through, among other things, the strengthening of their domestic services capacity and its efficiency and competitiveness. Due to the asymmetries existing with respect to the degree of development of services regulations in different Member countries, the particular need of developing country Members to exercise their right to regulate the supply of services in order to meet national policy objectives is recognized.</p> <p><i>(Preamble)</i></p>	<p>Members are allowed to enter economic integration agreements liberalizing trade in services provided that the following conditions are met: the agreement must have substantial sectoral coverage, and it must provide for the absence, or elimination, of substantially all discrimination in the covered sectors. For developing country Members which are parties to any such agreement, flexibility is provided for in meeting the conditions, in particular that relating to the elimination of discrimination. The flexibility allowed for is in accordance with the level of development of the Members concerned, both overall and in individual sectors and sub-sectors.</p> <p><i>(Article V.3)</i></p>	<p>While each Member is required to establish, within two years from the entry into force of the Agreement, one or more enquiry points to provide specific information on laws, regulations or administrative guidelines which significantly affect its trade covered by specific commitments, appropriate flexibility with respect to the time-limit within which such enquiry points are to be established may be agreed upon for individual developing country Members.</p> <p><i>(Article III.4)</i></p>	<p>Technical assistance to developing country Members is to be provided at the multilateral level by the WTO Secretariat and will be decided upon by the Council for Trade in Services.</p> <p><i>(Article XXVI.2)</i></p>
			<p>It is recognized that the serious difficulty of the LLDC's should be taken into account in view of their special economic situation and that development, trade and financial needs.</p> <p><i>(Preamble)</i></p>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
cond. General Agreement on Trade in Services and related decisions			
	<p>Priority is to be given to LLDCs in the process of the negotiation of specific commitments to facilitate their increasing participation in world trade. These relate to the strengthening of their domestic services' capacity and its efficiency and competitiveness, <i>inter alia</i> through access to technology on a commercial basis; the improvement of their access to distribution channels and information networks; and, the liberalization of market access in sectors and modes of supply of export interest to them.</p> <p>Further, Members are to take particular account of the serious difficulty of the LLDCs in accepting negotiated specific commitments in view of their special economic situation and their developmental, trade and financial needs.</p> <p>For the negotiation of specific commitments in future trade liberalizing rounds, negotiating guidelines and procedures will be established for each round of trade liberalizing negotiations. These guidelines will establish modalities for the special treatment of LLDCs in accordance with the priority afforded in meeting the above objectives. <i>[Article IV:1]</i></p>		<p>Recognizing that an efficient, advanced telecommunications infrastructure, particularly in developing country Members, is essential to the expansion of their trade in services, Members endorse and encourage the participation, to the fullest extent practicable, of developed and developing country Members and their suppliers of public telecommunications transport networks and services and other entities in the development programmes of international and regional organizations (including the ITU, the UNDP and the World Bank). <i>[Annex on Telecommunications, paragraph 6(a)]</i></p>
			<p>Members shall encourage and support telecommunications co-operation among developing country Members at the international, regional and sub-regional levels. <i>[Annex on Telecommunications, paragraph 6(b)]</i></p>
			<p>Consistent with their levels of development, developing country Members may place reasonable conditions on access to, and use of, public telecommunications transport networks and services. These conditions are described as those being necessary to strengthen the domestic telecommunications infrastructure and service capacity of the developing country Member, and to increase its participation in international trade in telecommunications services. <i>[Annex on Telecommunications, paragraph 5:8]</i></p>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
contd. General Agreement on Trade in Services and related decisions			
			<p>Members will make information (on telecommunications services as well as developments in telecommunications and information technology) available to developing country Members to assist in strengthening their domestic telecommunications services sector in co-operation with relevant international organizations. <i>(Annex on Telecommunications, paragraph 6(c))</i></p>
			<p>Special consideration will be given to opportunities for the LLDCs to encourage foreign suppliers of telecommunications services to assist in the transfer of technology, training and other activities that support the development of their telecommunications infrastructure and expansion of their telecommunications services trade. <i>Annex on Telecommunications, paragraph 6(d)</i></p>
			<p>The sectoral committees will provide technical assistance to developing country Members and developing countries negotiating accession to the Agreement Establishing the WTO in respect of matters affecting trade in services in the sector concerned. <i>(Decision on Institutional Arrangements for the GATS, paragraph 2(e))</i></p>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Agreement on Trade-Related Aspects of Intellectual Property Rights			
The special needs of LLDCs in respect of maximum flexibility in the domestic implementation of laws and regulations so as to enable them to create a sound and viable technological base are recognised. <i>(Preamble)</i>	LLDCs may delay for eleven years the date of application of the provisions of the Agreement. The Council for TRIPS shall extend this period upon a duly motivated request from a LLDC. However, the obligation to provide national treatment and most-favoured nation treatment is to be adhered to one year following the entry into force of the Agreement. <i>(Article 66:1)</i>	Developed country Members shall provide incentives to enterprises and institutions in their territories for the purpose of promoting and encouraging technology transfer to LLDCs, in order to enable them to create a sound and viable technological base. <i>(Article 66:2)</i>	Developed country Members are to provide, on request and on mutually agreed terms and conditions, technical and financial cooperation in favour of developing and LLDC Members, including assistance in the preparation of domestic legislation on the protection and enforcement of intellectual property rights, as well as on the prevention of their abuse. Developed countries are to provide support regarding the establishment or reinforcement of domestic offices and agencies which are relevant for these matters, including the training of personnel. <i>(Article 67)</i>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Understanding on Rules and Procedures Governing the Settlement of Disputes			
If a complaint is brought by a developing country Member, that Member may choose to apply the provisions of the CONTRACTING PARTIES' Decision of 5 April 1966, which entitles developing countries to the good offices of the Director-General and a panel procedure with shorter time limits, as a partial alternative to this Understanding. <i>[Article 3:12]</i>			
If the dispute involves a LLDC, particular consideration shall be given to the special situation of that country. In these cases, Members are to exercise due restraint in raising matters under the dispute settlement procedures, asking for compensation, seeking authorization for retaliation or other obligations pursuant to these procedures. <i>[Article 24:1]</i>			
During consultations, Members should give special attention to the particular problems and interests of developing country Members. <i>[Article 4:10]</i>			
In the context of consultations involving a measure taken by a developing country Member, the parties may agree to extend the periods established for consultations. If, after the relevant period has elapsed, the consulting parties cannot agree that the consultations have concluded, the Chairman of the DSB shall decide whether to extend the period. <i>[Article 12:10]</i>			
			If consultations involving a LLDC fail, it can request the Director-General or the DSB Chairman to offer his good offices before a request for a panel is made. <i>[Article 24:2]</i>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
contd. Understanding on Rules and Procedures Governing the Settlement of Disputes			
When a dispute is between a developing country Member and a developed country Member, the panel shall, if the developing country Member so requests, include at least one panellist from a developing country Member. <i>[Article 8:10]</i>			
	In examining a complaint against a developing country Member, the panel shall accord sufficient time for the developing country Member to prepare and present its argumentation. <i>[Article 12:10]</i>		
		Where one or more members is a developing country, the panel's report shall explicitly indicate how special and differential provisions raised by the developing country have been taken into account. <i>[Article 12:11]</i>	
		When keeping the implementation of adopted recommendations or rulings under surveillance, particular attention should be paid to matters affecting the interests of developing countries. <i>[Article 21:2]</i>	
			If the case has been brought by a developing country, the DSB will consider what further action (apart from the normal surveillance mechanism) might be taken, taking into account not only the trade coverage of measures complained of, but also their impact on the economy of the developing country Member. <i>[Articles 21:7 and 21:8]</i>

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Trade Policy Review Mechanism			
	<p>The majority of developing countries are subject to review every six years. Longer intervals may be prescribed for LLDCs. (Section C.(ii))</p> <p>Some flexibility might be needed by LLDCs in compiling their reports (currently they have the possibility, through a Council Decision, to depart from the outline format). (Section D)</p>		<p>The WTO Secretariat shall make available technical assistance on request to developing country Members, particularly to LLDCs, in the compilation of their national reports. (Section D)</p>
Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
			<p>It is recognized that there is a need for an adequate and timely flow of concessional and non-concessional financial and real investment resources to developing country Members, and for further efforts to address debt problems, to help ensure economic growth and development. (Paragraph 2)</p> <p>There is also a recognition that trade liberalization forms an increasingly important component in the success of the adjustment programmes that many Members are undertaking, and that this often involves significant transitional social costs. Ministers note the role of the World Bank and the IMF in supporting adjustment to trade liberalization, including support to net food-importing developing country Members facing short-term costs arising from agricultural trade reforms. (Paragraph 2)</p>
Declaration on the Contributions of the WTO to Achieving Greater Coherence in Global Policy-Making			

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least-Developed and Net Food-Importing Developing Countries			
	A periodical review of the level of food aid established by the Committee on Food Aid under the Food Aid Convention will be held, and negotiations will be initiated in the appropriate forum to establish a level of food aid commitments sufficient to meet the legitimate needs of developing country Members during the reform programme. <i>(Paragraph 3(i))</i>		Full consideration will be given in the context of Members' aid programmes to requests for the provision of technical and financial assistance to LLDCs and net food-importing developing country Members to improve their agricultural productivity and infrastructure. <i>(Paragraph 3(iii))</i>
		Guidelines will be adopted that ensure that an increasing proportion of basic foodstuffs is provided to LLDCs and net food-importing developing country Members in the form of a grant, or on appropriate concessional terms in line with Article IV of the Food Aid Convention. <i>(Paragraph 3(iv))</i>	

Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
contd. Decision no.: Measures Concerning the Possible Negative Effects of the Reform Programme on Least-Developed and Net Food-Importing Developing Countries			
<p>It will be ensured that any agreement relating to agricultural export credits makes appropriate provision for differential treatment in favour of LLDCs and net food-importing developing country Members. <i>(Paragraph 4)</i></p> <p>Members experiencing short term difficulties in financing normal levels of commercial imports may be eligible to draw on the resources of international financial institutions under existing facilities, or such facilities as may be established, in the context of adjustment programmes, in order to address such financing difficulties (this refers mainly to loans from the IMF and the World Bank). <i>(Paragraph 5)</i></p>			
Recognition of Interests	Fewer Obligations	Implementation Period	Technical Assistance
Decision on Notification Procedures			
<p>The Council for Trade in Goods will undertake a review of notification obligations and procedures. In undertaking the review, the possible need of some developing Members for assistance in meeting their notification obligations will be borne in mind. <i>(Part III)</i></p>			