

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

TBT/W/21

22 January 1981

Special Distribution

Committee on Technical Barriers to Trade

ACCEPTANCE BY TUNISIA

Note by the Secretariat

1. The Committee, at its meeting on 4-6 November 1980, had noted that acceptance by Tunisia of the Agreement on Technical Barriers to Trade would become effective when the terms referred to under Article 15.2 had been agreed with Tunisia. The Committee consequently decided that informal consultations should be pursued between Tunisia and the signatories of the Agreement with a view to drawing up mutually satisfactory terms of accession (TBT/M/5, paragraph 4).

2. A number of informal consultations have been held and the secretariat is now in a position to circulate the attached "Draft Terms of Acceptance of the Agreement by Tunisia" (Annex) for the consideration and adoption by the Committee at its next meeting on 4-6 February 1981. It is suggested the Committee also agree,

(i) that adoption by the Committee of the terms annexed should not be regarded as a precedent for other agreements and other governments and that each future case should be treated on its own merits in the context of each particular agreement, and

(ii) that the terms of acceptance would apply only until Tunisia accedes fully to the GATT.

The Committee might also note the hope expressed by some delegations that Tunisia would become a full GATT member as soon as possible.

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DRAFT TERMS OF ACCEPTANCE OF THE AGREEMENT BY TUNISIA

1. Tunisia would make the following statement:

"The Government of Tunisia, having accepted the Agreement on Technical Barriers to Trade under Article 15.2 of the Agreement, declares that it will apply to all the Parties to the Agreement, subject to the provisions of Article 15.12 thereof, the provisions of the Declaration of 12 November 1959 relating to the provisional accession of Tunisia to the General Agreement on Tariffs and Trade, to the extent necessary to ensure that advantages which accrue directly or indirectly under the Agreement are not nullified or impaired, on the understanding that the Parties to the Agreement will equally apply the provisions of the Declaration to Tunisia.

"The Government of Tunisia declares its readiness to examine in the Committee on Technical Barriers to Trade any difficulty or matter that may arise related to the application of the Agreement on Technical Barriers to Trade between Tunisia and another Party."

2. The Committee on Technical Barriers to Trade would note the statement by Tunisia. It would agree that the terms of this statement fulfilled the requirements of Article 15.2 of the Agreement and would welcome Tunisia as a Party to the Agreement.

3. Tunisia would then write a letter to the Director-General of GATT confirming the agreed terms of its acceptance. The effective date of acceptance is the date on which the letter is received by the Director-General.