

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/6626

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Limited Distribution

ACCESSION OF COSTA RICA

On 20 November 1989 the CONTRACTING PARTIES adopted a Decision (L/6607) to the effect that the Government of Costa Rica may accede to the General Agreement on terms set out in the Protocol for the Accession of Costa Rica, the text of which was approved by the Council of Representatives on 7 November 1989 (C/M/237). The text of the Protocol is annexed hereto.

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

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PROTOCOL FOR THE ACCESSION OF COSTA RICA
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 Costa Rica (hereinafter referred to as "Costa Rica"),

Having regard to the results of the negotiations directed towards the accession of Costa Rica to the General Agreement,

Have through their representatives agreed as follows:

Part I - General

1. Costa Rica shall, upon entry into force of this Protocol pursuant to paragraph 8, become a contracting party to the General Agreement, as defined in Article XXXII thereof, 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 its legislation existing on the date of this Protocol.

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 Costa Rica 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 and otherwise modified by such instruments as may have become effective on the day on which Costa Rica 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 Costa Rica shall be the date of this Protocol.

3. Costa Rica intends to eliminate the import surtaxes and surcharges, as referred to in paragraph 31 of document L/6589 when in excess of levels bound in the attached Schedule. If four years after the day of Costa Rica's accession to the General Agreement, these taxes are still in effect without the above-mentioned actions having been taken, the matter will be reviewed by the CONTRACTING PARTIES.

4. As indicated in paragraph 50 of document L/6589, Costa Rica will continue to gradually eliminate current import licensing restrictions, and quantitative restrictions, and will complete their elimination four years after the day of Costa Rica's accession to the General Agreement. From the date of accession, additional such measures will only be applied as provided for in the Articles of the General Agreement, and such restrictions remaining after that time, will be notified and justified in conformity with GATT obligations. If this is not accomplished, the issue will be reviewed by the CONTRACTING PARTIES.

Part II - Schedule

5. The schedule in the Annex shall, upon the entry into force of this Protocol, become a Schedule to the General Agreement relating to Costa Rica.

6. (a) In each case in which paragraph 1 of Article II of the General Agreement refers to the date of that 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 this Protocol.

(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 this Protocol.

Part III - Final Provisions

7. This Protocol shall be deposited with the Director-General to the CONTRACTING PARTIES. It shall be open for acceptance by signature or otherwise, by Costa Rica until 30 June 1990. It shall also be open for acceptance by contracting parties and by the European Economic Community.

8. This Protocol shall enter into force on the thirtieth day following the day upon which it shall have been accepted by Costa Rica.

9. Costa Rica, having become a contracting party to the General Agreement according 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.

10. Costa Rica may withdraw its provisional application of the General Agreement prior to its accession thereto pursuant to paragraph 9 and such

withdrawal shall take effect on the sixtieth day following the day on which written notice thereof is received by the Director-General.

11. The Director-General shall promptly furnish a certified copy of this Protocol and a notification of each signature thereto, pursuant to paragraph 7, to each contracting party, to the European Economic Community, to Costa Rica and to each government which shall have acceded provisionally to the General Agreement.

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

Done at Geneva this twentieth day of November one thousand nine hundred and eighty-nine, 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.