

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

W.14/20
23 May 1959

Limited Distribution

CONTRACTING PARTIES

Fourteenth Session

Working Party on Relations with Israel

DRAFT DECISION AND DECLARATION
PREPARED BY THE DRAFTING GROUP

I. Participation of Israel in the Work of
the Contracting Parties

DRAFT DECISION

Considering that the Government of Israel has made a request to the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade to accede to the General Agreement in accordance with the provisions of Article XXXIII, and is ready to enter into tariff negotiations with contracting parties to that end;

Considering that a tariff conference is to be convened commencing in 1960 and that it will be more convenient to arrange for tariff negotiations between contracting parties and Israel to be held during that conference;

Noting that the Government of Israel undertakes that the tariff negotiations with contracting parties shall be based upon rates of duty no higher than those of the Israeli customs tariff at present in force, that the import surcharges, no higher than the rates at present in force shall be treated as a part of the customs tariff for purposes of the negotiations, and that if any lower rates of duty or surcharge are in force at the time of the opening of the negotiations such lower rates shall provide the basis for negotiation on the products concerned;

Desiring that the Government of Israel shall meanwhile be associated with the discussions and deliberations of the CONTRACTING PARTIES;

Noting that a number of contracting parties intend that, pending the accession of Israel pursuant to Article XXXIII, commercial relations between them and Israel shall be based upon the provisions of the General Agreement, in accordance with the Declaration of / May 1959; and

Considering that the said Declaration requests the CONTRACTING PARTIES to perform certain functions comparable in nature to their functions under the General Agreement;

The CONTRACTING PARTIES

Decide:

1. to invite the Government of Israel to participate in sessions of the CONTRACTING PARTIES and of subsidiary bodies established by the CONTRACTING PARTIES;
2. to accept such functions as are necessary for the operation of the Declaration referred to in the preamble to this Decision; and
3. to make arrangements for tariff negotiations between contracting parties and Israel during the tariff conference commencing in 1960 on the basis of the undertaking of the Government of Israel referred to in the third paragraph of the preamble to this Decision.

This Decision shall take effect when approved by the CONTRACTING PARTIES by a vote concurred in by two-thirds of the contracting parties, and shall continue in effect until the accession of Israel following tariff negotiations with contracting parties or until 31 December 1961, whichever date is earlier, unless the CONTRACTING PARTIES agree to extend it to a later date.

II. PROVISIONAL ACCESSION OF ISRAEL

Draft Declaration

The Government of Israel and other governments on behalf of which this Declaration has been accepted (which latter governments are hereinafter referred to as the "participating governments");

Considering that the Government of Israel on 26 March 1959 made a formal request to accede to the General Agreement on Tariffs and Trade (hereinafter referred to as the "General Agreement") in accordance with the provisions of Article XXXIII; and

Having regard to the desire of many contracting parties to conduct the tariff negotiations with Israel, which contracting parties consider should precede accession under Article XXXIII, during the tariff conference to be held in 1960 and 1961, arrangements for which are being made by the CONTRACTING PARTIES;

1. Declare that, pending the accession of Israel under the provisions of Article XXXIII, following the conclusion of tariff negotiations with contracting parties, the commercial relations between the participating governments and Israel shall be based upon the General Agreement as if the provisions of the model protocol of accession approved by the CONTRACTING PARTIES on 23 October 1951 (BISD, Vol.I, pages 111-115), were embodied in this Declaration, except that Israel shall not have any direct rights with respect to the concessions in the schedules to the General Agreement either under the provisions of Article II or under the provisions of any other Article of the General Agreement.
2. Request the CONTRACTING PARTIES to perform such functions as are necessary for the operation of this Declaration.
3. This Declaration shall be deposited with the Executive Secretary of the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade.
4. The Executive Secretary of the CONTRACTING PARTIES to the General Agreement shall promptly furnish a certified copy of this Declaration, and a notification of each acceptance thereof, to each government to which this Declaration is open for acceptance.
5. When this Declaration has been approved by two-thirds of the contracting parties to the General Agreement, it shall be opened for acceptance, by signature or otherwise, by Israel, by contracting parties to the General Agreement, by Switzerland, and by any other government which accedes provisionally to the General Agreement.
6. This Declaration shall become effective between Israel and any participating government on the thirtieth day following the day upon which it shall have been accepted on behalf of Israel and of that government; it shall remain in force until the Government of Israel accedes to the General Agreement under the provisions of Article XXXIII or until 31 December 1961, whichever date is earlier, unless it has been agreed by Israel and participating governments to extend its validity to a later date.

Done at Geneva this day of May one thousand nine hundred and fifty nine, in a single copy in the English and French languages, both texts authentic.