

**MULTILATERAL TRADE  
NEGOTIATIONS  
THE URUGUAY ROUND**

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Trade Negotiations Committee

INFORMAL MEETING OF HEADS OF DELEGATION

24 March 1994

Statement by the Chairman

Introduction

At today's meeting I would like to review where we stand overall on preparations for the Marrakesh Ministerial meeting. We might then concentrate our deliberations on the texts which have been the subject of extensive consultations in recent days and try to reach agreement on as many of them as possible.

Market Access in Goods

Since our last meeting, the multilateral verification process on market access for goods has proceeded positively. Of the 81 schedules circulated, the verification of 64 schedules was completed by 21 March and these final schedules, with any necessary corrections, will now be attached to the Marrakesh Protocol. Of the remaining 17 draft schedules, considerable progress has been made in bilateral and plurilateral consultations over the past 48 hours and in other cases, including the schedules of certain major participants, we are informed that matters are well on the way to resolution.

To sum up, therefore, we are almost but not quite there, and I would like to compliment those delegations who have completed their schedules for their serious and constructive efforts. I remain concerned, however, that some delegations, including certain key participants, have not adhered to the deadlines we have set ourselves and I cannot stress sufficiently the need for greater urgency on their part. As I have said before, the very latest date for a participant to be able to attach its schedule to the Marrakesh Protocol is 25 March. I want to give full notice that I intend to enforce that deadline rigorously. In order to facilitate delegations to respect the deadline, a final meeting to close off the multilateral process will be held tomorrow Friday, 25 March.

Services

As regards the finalization of schedules and MFN exemption lists in the field of services, the situation has also improved considerably in the last few days. There are 4 delegations whose corrected schedules have not yet been received by the Secretariat and again I would urge the delegations involved to act immediately. In a number of other cases, although the Secretariat has received the corrected schedules, we still need final confirmation of approval from delegations or capitals in order to attach the corrected schedules. It would be a pity not to be able to attach these corrections which, in virtually all cases, have brought about considerable improvements in technical clarity and legal accuracy.

Legal Rectification

A clean text of the rectified Final Act has now been circulated in all three languages for your consideration at our meeting next Monday, 28 March.

As I mentioned to you at our last meeting, in the course of the legal drafting work on the French and Spanish texts of the Final Act, delegations noted inconsistencies of terminology in the General Agreement and agreed that the best course of action would be to correct the French and Spanish texts of the General Agreement. They have also proposed authentication of the Spanish language text of Parts I-III of the General Agreement. The delegations involved have now reached agreement on a solution to these problems. It is proposed to adopt a TNC Decision in combination with the incorporation in the text of GATT 1994 of a list of agreed rectifications to the French and Spanish texts of GATT 1947. The TNC Decision would invite the CONTRACTING PARTIES to initiate the process of rectifying the French text of GATT 1947 and of authenticating a Spanish text of GATT 1947 so as to avoid creating a divergence between the two GATT texts. The United Nations, which is the depositary for Parts I-III of the GATT 1947, has a 90-day non-objection procedure for correction of treaties and for authentication of additional language treaty texts, and it is this procedure that we propose to use.

Lists of rectifications to the French and Spanish texts are being circulated to you together with a note explaining the legal procedures involved. The text of the proposed TNC Decision will be circulated by early tomorrow. A brief legal drafting meeting will be convened tomorrow to discuss this matter, including the text of the proposed TNC Decision. I hope we can then approve all rectified texts at our meeting on 28 March.

Mr. Hoda has held consultations, in the presence of IMF representatives, with a view to resolving the issue which had arisen concerning the relationship between Article XV of the GATT 1947 and the General Interpretative Note to the Agreements in Annex 1A of the Final Act. I understand that a solution has emerged from his consultations whereby it is suggested that Ministers would approve a Declaration on the Relationship of the WTO with the IMF. The draft text of this Declaration has been circulated. My intention would be to secure your agreement at our meeting on Monday to incorporate this Declaration into the Final Act texts.

Administrative Preparations for Marrakesh

Following further discussions with the Moroccan authorities, it is intended to circulate early next week a further note on the programme of events at Marrakesh. We have been asked to request all those who have not completed the registration formalities to do so as soon as possible.

We also need to establish quickly the precise intentions of delegations in regard to signatures. We are assuming that all participants present will wish to sign the Final Act. As already indicated, a number of delegations are ready to accept the WTO Agreement by signature at Marrakesh and, clearly, I would like to encourage as many as possible of those who are in a position to do so. In addition, other delegations have indicated that they will wish to sign the WTO Agreement subject to ratification. I should be grateful if you would communicate to Mr. Lindén as soon as possible the intentions of your authorities.

I should mention, too, that since our last meeting, Guinea-Bissau has become a GATT contracting party and accordingly becomes a Uruguay Round participant. In this context, we shall need to note formally at the next meeting of the TNC that since 15 December 1993 a number of countries have become Uruguay Round participants.

### Other Texts for Ministerial Endorsement

As regards the other texts on which we need Ministerial endorsement at Marrakesh, we should review where we stand.

Last week we noted agreement on the "Decision on Acceptance of and Accession to the WTO Agreement" and, apart from the outstanding issue of the language in para 8(c)(iii), we also finalized the "Decision on the Establishment of the WTO Preparatory Committee".

On trade and environment, the plurilateral consultations conducted by Mr. Lavorel have resulted in an agreed text for our consideration. As called for in the TNC Decision of 15 December, the text outlines a work programme and decides upon the institutional structure to carry it out.

Since the Decision on Trade and Environment will include work called for in the Decision on para (b) of Article XIV of the General Agreement on Trade in Services, which is part of the Final Act, a few changes in the latter Decision are necessary to ensure legal coherence. You should have before you a revised draft of that Decision with the changes indicated which make it clear that it is the Committee on Trade and Environment which will now undertake the work called for in the Decision.

The Chairman of the CONTRACTING PARTIES is holding informal consultations on a Ministerial Decision on the "Organizational and Financial Consequences Flowing from Implementation of the Agreement Establishing the World Trade Organization". I understand that he hopes to have a draft ready for consideration by Heads of Delegation on Monday, 28 March.

Mr. Seade has had extensive consultations on a draft text of the "Marrakesh Ministerial Declaration". I understand the text of the Declaration as it has emerged from his consultations has been circulated. Apart from a particular matter put forward by one delegation, there seems to be broad agreement on the elements of this text.

### Next Meeting

The next meeting of this Group has been convened for Monday, 28 March at 3 p.m. At that meeting, we shall consider the definitive texts resulting from the legal rectification process and check once again, and for the last time, that the market access schedules on goods and services have been completed in the required form. On Wednesday, 30 March, I have convened a TNC meeting, restricted to Heads of Delegation, in order to give formal TNC approval to the texts to be presented to Ministers at Marrakesh.