

Decision on the Acceptance of and Accession to the Agreement Establishing the World Trade Organization

Ministers,

Noting that Articles XI and XIV of the Agreement Establishing the World Trade Organization (hereinafter referred to as "WTO Agreement") provide that only contracting parties to the GATT 1947 as of the entry into force of the WTO Agreement for which schedules of concessions and commitments are annexed to GATT 1994 and for which schedules of specific commitments are annexed to the General Agreement on Trade in Services (hereinafter referred to as "GATS") may accept the WTO Agreement;

Noting that paragraph 5 of the Final Act Providing the Results of the Uruguay Round of Multilateral Trade Negotiations (hereinafter referred to as "Final Act") and paragraph 1 of the Final Act of the Uruguay Round respectively) provides that the schedules of participants which are contracting parties to GATT 1947 as of the date of the Final Act are not definitive and shall be subsequently corrected for the purpose of accession to GATT 1947 and their acceptance of the WTO Agreement;

Having regard to paragraph 1 of the Final Act on the Provision of Special Treatment and Privileges in Favour of Least-Developed Countries which provides that the least-developed countries shall be given a period of one year from 15 April 1994 to submit their requests as required in Article XXIV of the WTO Agreement;

Recognizing that States which have applied GATT 1947 as of the date of the entry into force of the WTO Agreement became contracting parties to GATT 1947 as of the date of the entry into force of the WTO Agreement and that States which are not in a position to do so as of that date may apply for accession to GATT 1947 and the WTO Agreement;

Recognizing that States or separate customs territories which were not contracting parties to GATT 1947 before the date of the entry into force of the WTO Agreement and that States or separate customs territories which have not had the opportunity to negotiate schedules of concessions and commitments under GATT 1994 and GATS 1994 may apply for accession to accept the WTO Agreement;

Taking into account that States or separate customs territories which are not contracting parties to GATT 1947 before the date of the entry into force of the WTO Agreement and that States or separate customs territories which have not had the opportunity to negotiate schedules of concessions and commitments under GATT 1994 and GATS 1994 may apply for accession to accept the WTO Agreement;

Recognizing that the WTO Agreement does not distinguish between States and separate customs territories which are not contracting parties to GATT 1947 as of the date of the entry into force of the WTO Agreement and that the procedures for accession to GATT 1947 as of the date of the entry into force of the WTO Agreement are not to be applied to States or separate customs territories which are not contracting parties to GATT 1947 as of the date of the entry into force of the WTO Agreement in order to avoid any unnecessary delay or delay for these States and separate customs territories;

Decide that:

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established by the CONTRACTING PARTIES to GATT 1947 to examine the accession of that State or separate customs territory.

- (b) The Preparatory Committee shall submit to the Ministerial Conference a report on its examination of the request. The report may include a protocol of accession, including a schedule of concessions and commitments to GATT 1994 and a schedule of specific commitments for the GATS, for approval by the Ministerial Conference. The report of the Preparatory Committee shall be taken into account by the Ministerial Conference in its consideration of any application by the State or separate customs territory concerned to accede to the WTO Agreement.