

WORLD TRADE ORGANIZATION

RESTRICTED

G/C/W/88

26 September 1997

(97-4010)

**Council for Trade in Goods
6 October 1997**

Original: Spanish

GUATEMALA - ESTABLISHMENT OF A NEW SCHEDULE LXXXVIII

Draft Decision on Extension of Time-Limit

Considering that by a Decision of 26 January 1994¹, the CONTRACTING PARTIES to GATT 1947 suspended application of the provisions of Article II of GATT 1947 to enable the Government of Guatemala to carry out the process of transposition of the concessions set forth in Schedule LXXXVIII into the Harmonized Commodity Nomenclature;

Taking into account that by successive Decisions, the time-limit of the waiver granted to Guatemala has been extended until 30 April 1997²;

Considering that the time-lag which has occurred since the expiry of the latest extension on 30 April 1997 is due to an administrative restructuring of the Mission;

Taking into account that Guatemala's new Customs Tariff based on the Harmonized Commodity Description and Coding System came into force on 1 March 1993, and replaces the Central American Uniform Tariff Nomenclature;

Considering that by a Decision of 31 January 1995³ the General Council established a list of waivers existing at the entry into force of the WTO Agreement, which included the waiver granted to Guatemala for the establishment of a new Schedule LXXXVIII;

Taking into account that the necessary documentation for the holding of the consultations has been submitted and circulated in document G/SECRET/HS/6 and three countries have reserved their right to conduct negotiations; that negotiations have been entered into in conformity with Article XXVIII with two countries and it is hoped that negotiations will be completed shortly with one country in relation to initial negotiating rights;

Considering that in order to implement the procedures established by the Council Decision of 12 July 1983 for the rectification and renegotiation of the schedules of concessions negotiated in GATT under the Harmonized System and to hold consultations under Article XXVIII, the Government of Guatemala, having fulfilled the requirements of paragraph 1 of the Understanding in Respect of

¹L/7405.

²WT/L/172.

³WT/L/3 and Corr.1.

Waivers of Obligations under the GATT 1994, has requested a further extension of the waiver of its obligations under Article II of the GATT 1994⁴;

The General Council, acting pursuant to the provisions of Article IX of the WTO Agreement,

Decides, in view of the exceptional circumstances outlined above, to extend the waiver granted to Guatemala by the Decision of 26 January 1994 until 30 April 1998.

⁴G/L/185.