

**INTRODUCTION OF HARMONIZED SYSTEM 1996 CHANGES  
INTO WTO SCHEDULES OF TARIFF CONCESSIONS**

Morocco – Schedule LXXXI

*Draft Decision*

The General Council,

*Considering* that the Members of the WTO, by their Decisions of 13 December 1995, 18 July 1996, 24 April 1997, 22 October 1997, 24 April 1998, 14 October 1998, 15 June 1999, 4 November 1999, 3 May 2000, 8 December 2000, 8 May 2001 and 13 May 2002<sup>1</sup>, acting pursuant to the provisions of paragraph 3 of Article IX of the WTO Agreement, suspended the application of the provisions of Article II of the GATT 1994 until 31 October 2002, for the purpose of enabling the Members listed in the Annex to implement the recommended amendments to the Harmonized System nomenclature;

*Considering* that in their Decision of 8 May 2001, the WTO Members also agreed to grant a waiver on a collective basis for the last time, but that this would not preclude Members from requesting waivers on an individual basis;

*Noting* that Morocco has requested a waiver for reasons explained in its request<sup>2</sup>;

*Considering* that Morocco would need more time to proceed with consultations or possible Article XXVIII negotiations,

*Acting* pursuant to the provisions of paragraph 3 of Article IX of the WTO Agreement,

*Decides*, in view of the exceptional circumstances, to suspend the application of the provisions of Article II of GATT 1994 until 30 April 2003, for the purpose of enabling Morocco to implement the recommended amendments to the Harmonized System nomenclature, subject to the following conditions:

- (i) Morocco shall, if necessary, promptly enter into negotiations and consultations with interested Members pursuant to paragraphs 1-3 of Article XXVIII of GATT 1994;
- (ii) the negotiations and consultations mentioned above shall be completed no later than 30 April 2003;

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<sup>1</sup> WT/L/124 + Corr.1, WT/L/173, WT/L/216, WT/L/243, WT/L/268, WT/L/281, WT/L/303, WT/L/338, WT/L/351, WT/L/379, WT/L/400 and WT/L/462.

<sup>2</sup> G/L/568.

- (iii) pending the entry into force of the results of the negotiations or consultations mentioned above, the other Members will be free to suspend concessions initially negotiated with Morocco to the extent that they consider that adequate compensation is not offered by Morocco.
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