

GENERAL COUNCIL
2 October 1996

MINUTES OF MEETING

Held in the Centre William Rappard
on 2 October 1996

Chairman: Mr. W. Rossier (Switzerland)

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1. Accession of Bulgaria
 - Report of the Working Party (WT/ACC/BGR/5 and Corr.1, Add.1 and Add.2)

The Chairman recalled that at its meetings in November 1986 and February 1990, the GATT 1947 Council had established a Working Party to examine Bulgaria's request for accession to the General Agreement on Tariffs and Trade. Subsequently, in pursuance of the Decision adopted by the WTO General Council on 31 January 1995¹, the GATT 1947 Accession Working Party had been transformed into a WTO Accession Working Party. The Working Party's report was now before the General Council in WT/ACC/BGR/5 and Corr.1, Add.1 and Add.2.

Mr. Selmer (Norway), Chairman of the Working Party, introducing its report, said that the Working Party had held several meetings from 1991 to 1996 to examine Bulgaria's application, and to pursue the market access negotiations for goods, including the preparation of an agriculture country schedule, and market access negotiations for services. Addendum 1 of the Working Party's report reproduced Schedule CXXXIX on goods, and Addendum 2 reproduced Schedule CXXXIX on services. This documentation had been adopted by the Working Party on 16 September 1996 on an *ad referendum* basis. Members of the Working Party had noted that, notwithstanding adverse repercussions from instability in the region, Bulgaria had pursued decisively the process of adjustment and transformation to a market economy. Members had expressed support and encouragement for Bulgaria's efforts to continue to reform and liberalize its economy. The Appendix to the Working Party's report reproduced a draft decision on Bulgaria's accession and a draft Protocol of Accession. In accordance with the practice in accessions to the GATT 1947, the Protocol of Accession incorporated commitments given by Bulgaria in relation to certain specific matters negotiated in the Working Party. These commitments concerned, *inter alia*, the submission of information concerning developments in the privatization program, the introduction of a new system of excise taxes, the elimination of quantitative restrictions and other non-tariff measures, the phasing out of a temporary surcharge on imports for balance-of-payments reasons, membership in the Agreements on Government Procurement and Trade in Civil Aircraft. He noted that Bulgaria would be the first European country with an economy in transition to a market economy system to become a Member pursuant to Article XII of the WTO Agreement, and expressed appreciation for the openness, cooperation and flexibility demonstrated by Members and by Bulgaria during arduous negotiations on subjects that had often broken new and difficult ground.

The representative of the European Communities welcomed and supported Bulgaria's accession. The Community was a close trading partner of Bulgaria, and looked forward to even closer relations in the future, both in the bilateral and multilateral contexts. Bulgaria's accession to the WTO Agreement was historic, and marked a particular phase in that country's transition to a more market-oriented economy. It was also a further important step towards the universalization of the WTO.

The representative of the United States said that his Government was pleased to support approval of Bulgaria's accession package. Having begun its accession process under the GATT 1947, and at a time when its trade regime was not responsive to market forces, Bulgaria had worked diligently with Members, especially during the past three years, to complete a full Article XII accession to the WTO Agreement. These years had not been easy for Bulgaria. Its economy had suffered as war raged nearby, and its economic reform program had struggled to maintain itself under very difficult conditions. Yet Bulgaria had persevered, and had shown great willingness to make the necessary changes in its trade regimes to meet the stricter WTO provisions. Notwithstanding its difficulties, Bulgaria had availed itself of few transitions from WTO provisions in its Protocol, and had worked with Members up to the last minute to improve its market access offers. The United States believed that WTO membership would help Bulgaria complete its economic reforms and provide a solid basis for future economic growth

¹See WT/GC/M/1, item 4(g).

and prosperity. The United States wished to commend Bulgaria's negotiators for their tenacity, patience, and skill in bringing home this agreement, and looked forward to establishing full WTO relations with Bulgaria when it became a Member.

The representatives of a large number of Members, including Argentina, Australia, Cuba, the Czech Republic, Egypt, Hungary, Iceland, India, Japan, Malaysia on behalf of the ASEAN countries, Norway, Paraguay, Poland, Romania, the Slovak Republic, Switzerland, and Turkey, among others, wished to be placed on record as welcoming and supporting the accession of Bulgaria.

The representative of Bulgaria, speaking as an observer, said that Bulgaria's accession process had been extremely difficult since it had coincided with its implementation of political and economic reforms. Bulgaria was a relatively small country and its economy depended greatly on foreign trade. It was only logical that the transition from a centrally planned to a market economy would bring significant progress in terms of liberalization of the country's trade regime. Bulgaria maintained no quantitative restrictions on imports, and its licensing system was consistent with WTO rules. In its market access negotiations, Bulgaria had made a series of important commitments leading to the further substantial liberalization of its market, including commitments to implement all WTO Multilateral Trade Agreements without any transition period notwithstanding its financial and structural difficulties, and to enforce the TRIPS and TRIMS Agreements from the first day of its WTO membership. Bulgaria was already a member of the International Dairy and Bovine Meat Agreements. It would become a signatory to the Agreement on Trade in Civil Aircraft upon accession, and would initiate negotiations for accession to the Agreement on Government Procurement. Bulgaria had taken other measures in recent months to further strengthen the market principles in its economy and cope with its current financial difficulties. These measures had been discussed with the IMF and the World Bank, and included the following: the announcement of a list of loss-making state-owned companies for liquidation and privatization or isolation from the banking system, of which 12 had been closed and 4 privatized by the end of August; an increase in the price of electricity to cover production costs, and the adoption of a mechanism for its monthly adjustment in accordance with the dynamics of the consumer price index and the exchange rate; more than 40 transactions for the sale of state-owned enterprises, amounting to about US\$ 100 million during the July-September period; preparation of a programme for the cash privatization of fifteen big state companies until the end of 1996; and the offering of up to 25 per cent of the Bulgarian telecommunications company for privatization to strategic investors. The revenue from the above-mentioned sales was expected to amount to about US\$ 1 billion by the end of 1996, and would be utilized for domestic and foreign debt servicing and further structural adjustment of the economy. The Government and the Central Bank were also working on a privatization programme in the banking sector. A number of comprehensive measures had been taken by the Central Bank in September to re-establish financial stability and confidence in the Bulgarian currency.

The adoption by the General Council of the Decision on the Accession of Bulgaria and of the Working Party's report would be a clear message by the international community that the market-based changes in Bulgaria's economy were clearly recognized and that the process of establishing a market economy was irreversible. Bulgaria was fully committed to the rules and disciplines of the multilateral trading system and intended, as a Member, to participate actively in the work of the Organization. The WTO was firmly rooted in the tradition of consensus-building and cooperation among its Members, and embodied rights and obligations that were enforceable through the rule of law - not economic power - which was of substantial importance for smaller countries like Bulgaria. Bulgaria's accession negotiations had often broken new and difficult ground both in tariff-related issues and in the services sector, and he expressed his Government's appreciation to all Members for their constructive dialogue, their spirit of co-operation and flexibility, as well as to the Chairman of the Working Party. Bulgaria considered accession to the WTO Agreement a major achievement that would further reinforce the market-based principles in its economy in transition.

The General Council approved the text of the Protocol of Accession (WT/ACC/BGR/7) and the text of the draft Decision on the Accession of Bulgaria and, in accordance with the Decision-Making Procedures under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93), adopted the Decision on the Accession of Bulgaria (WT/ACC/BGR/6). The General Council then adopted the report of the Working Party (WT/ACC/BGR/5 and Corr.1, Add.1 and Add.2), and took note of the statements and of the expressions of support.

2. Accession of Panama

- Report of the Working Party (WT/ACC/PAN/19 and Corr.1, Add.1 and Add.2)

The Chairman recalled that in October 1991, the GATT 1947 Council had established a Working Party to examine Panama's request for accession to the General Agreement on Tariffs and Trade. Subsequently, in pursuance of the Decision adopted by the WTO General Council on 31 January 1995², the GATT 1947 Accession Working Party had been transformed into a WTO Accession Working Party. The Working Party's report was now before the General Council in WT/ACC/PAN/19 and Corr.1, Add.1 and Add.2.

Mrs. Guarda (Chile), introducing the Working Party's report on behalf of its Chairman, Mr. Tironi (Chile), said that the Working Party had held several meetings from 1994 to 1996 to examine Panama's application, and to pursue market access negotiations for goods, including the preparation of an agriculture country schedule, and market access negotiations for services. Addendum 1 of the Working Party's report reproduced Schedule CXLI on goods, and Addendum 2 reproduced Schedule CXLI on services. This documentation had been adopted by the Working Party on 19 September 1996 on an *ad referendum* basis. Members of the Working Party had noted that Panama had made remarkable progress in reforming its economy and its foreign trade regime. These reforms were aimed at improving the standard of living, increasing employment opportunities and achieving diversification of the productive sectors. Members had also observed that Panama had come a long way towards ensuring that its trade and economic regimes were in full conformity with the WTO. The Appendix to the report reproduced a draft decision on Panama's accession and a draft Protocol of Accession. In accordance with the practice in accessions to the GATT 1947, the Protocol of Accession incorporated commitments given by Panama in relation to certain specific matters negotiated in the Working Party. These commitments concerned, *inter alia*, the application of price controls, the application of tax and charges for services rendered, the application of the tax on the Transfer of Tangible Personal Property, the elimination of quantitative restrictions and other non-tariff measures, the elimination of subsidies, membership in the Agreement on Government Procurement, transparency and notifications. With Panama's accession to the WTO Agreement, Latin America would be fully represented in the WTO. On behalf of the Chairman of the Working Party, she expressed appreciation for the openness, cooperation and flexibility demonstrated by Members and by Panama during arduous negotiations on subjects that had often broken new and difficult ground.

The representatives of Guatemala on behalf of the countries of the Latin American and Caribbean Group (GRULAC), Costa Rica, the United States, El Salvador also on behalf of Guatemala, Honduras and Nicaragua, Ecuador, Colombia and Singapore on behalf of the ASEAN countries welcomed and supported the accession of Panama. The representatives of Guatemala on behalf of the GRULAC, El Salvador also on behalf of Guatemala, Honduras and Nicaragua, and Ecuador said that Panama's accession would strengthen the multilateral trading system.

²See WT/GC/M/1, item 4(8).

The representative of Guatemala, speaking on behalf of the GRULAC, said that Panama's accession to the WTO Agreement was the satisfactory conclusion of a long process of negotiations begun in 1991. Panama had accomplished considerable progress in reforming its economy and foreign trade regime. Its draft legislation submitted to the Working Party which aimed at establishing a free market economy fully consistent with its obligations within the WTO framework would have a direct impact in its economic, political and social spheres. The commitments undertaken by Panama in the course of its accession negotiations would further liberalize its foreign trade, establish an important starting point for its participation in the multilateral trading system and result in greater access to international markets. Its participation in the WTO would be very constructive. Panama's accession highlighted the importance that the countries of the region attached to the multilateral trading system.

The representative of United States said that Panama was one of its oldest and most steadfast trading partners. Panama had already implemented many of its accession commitments even before the approval of the Working Party's report. As a developing country, Panama had had no difficulty in taking on obligations in many critical areas of the WTO Agreement. The quality of its market access package clearly demonstrated Panama's commitment to trade liberalization and to the principles of the WTO system. The United States looked forward to working with Panama in implementing and elaborating the WTO system.

The representative of El Salvador, also on behalf of Guatemala, Honduras and Nicaragua said that Panama's commitments on goods and services and its acceptance of WTO rules would greatly contribute to the liberalization of world trade. In the 1970s, Panama had initiated a negotiation process with its neighbours of the sub-region with a view to the integration of the Central American economies. In December 1991, it had signed the Tegucigalpa Protocol which had set up the Central American Integration System. For Central America, it was extremely important that the only country of the sub-region whose accession was still pending completed its accession process as soon as possible.

The representatives of a large number of Members, including Argentina, Australia, Bolivia, Brazil, Cuba, Egypt, Japan, Mexico, Paraguay, Peru, Switzerland and Venezuela, among others, wished to be placed on record as welcoming and supporting the accession of Panama.

The representative of Panama, speaking as an observer, said that since June 1993 when Panama had submitted a memorandum on its foreign trade regime for review by the CONTRACTING PARTIES to the GATT 1947, it had undertaken administrative and legislative reforms with a view to ensuring an efficient and speedy accession to the Organization. Panama had taken up the challenge of adapting its economy to the dynamics of globalization and competition in international markets. This challenge had implied the recognition and re-evaluation of the functioning of its public and private sectors, the restructuring of its economic policy and in particular its foreign trade policy. Its new pattern for trade conduct required considerable sacrifices and adjustments in its national economy. Its market opening policy implied serious changes for its domestic productive sectors. New provisions on competition, subsidies and countervailing duties, phytosanitary rules, valuation and intellectual property, *inter alia*, had been elaborated with a view to implementing the Uruguay Round Agreements which governed these areas. Elimination or adaptation of existing laws which were inconsistent with international provisions had been undertaken in order to fulfil the recently assumed commitments. Panama's efforts were based on the need to establish a solid and predictable structure for trade with its trading partners and on the deep-seated belief that within these new rules and economic realities it would achieve economic development and growth. Panama recognized the achievements of the Uruguay Round and hoped to fully participate in future rounds of negotiations. It was confident that at the upcoming Singapore Ministerial Conference, the review of concluded matters and the discussion on pending issues would result in a better framework for international trade that would at the same time take account of developing country interests. Convinced that its historic tradition as a bridge for world trade would continue to be consolidated and grow in the coming centuries, Panama had undertaken important actions

over the past two years including, among others, the construction of modern and new harbour installations by private enterprise, the privatization of ports managed by the state of Panama, the access of the private sector to former state-monopolies of public services, entry into the International Organization for Standardization, and the ratification of the Paris Convention.

The General Council approved the text of the Protocol of Accession (WT/ACC/PAN/21) and the text of the draft Decision on the Accession of Panama and, in accordance with the Decision-Making Procedures under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93), adopted the Decision on the Accession of Panama (WT/ACC/PAN/20). The General Council then adopted the report of the Working Party (WT/ACC/PAN/19 and Corr.1, Add.1 and Add.2), and took note of the statements and of the expressions of support.

3. Approval of rules of procedure of subsidiary bodies
 - Committee on Regional Trade Agreements (WT/REG/1)

The Chairman drew attention to the rules of procedure for meetings of the Committee on Regional Trade Agreements adopted by that Committee on 2 July (WT/REG/1), and proposed that the General Council approve them.

The General Council so agreed.

4. Extensions of waivers pursuant to Paragraph 2 of the Understanding in respect of waivers of obligations under GATT 1994
- (a) Cuba - Paragraph 6 of Article XV of GATT 1994 (G/L/89, G/C/W/51/Rev.1)
 - (b) United States - Former Trust Territory of the Pacific Islands (G/L/101, G/C/W/53)
 - (c) United States - ANDEAN Trade Preference Act (G/L/102, G/C/W/54)
 - (d) Canada - CARIBCAN (G/L/100, G/C/W/52)
 - (e) Communication from the European Communities (G/L/107)
 - European Communities - Fourth ACP-EEC Convention of Lomé (G/L/108, G/C/W/58/Rev.1)
 - France - Trading Arrangements with Morocco (G/L/109, G/C/W/59/Rev.1)
 - (f) South Africa - Base dates under Article I:4 (G/L/104, G/C/W/56/Rev.1)
 - (g) Zimbabwe - Base dates under Article I:4 (G/L/106, G/C/W/57/Rev.1)

The Chairman drew attention to the communications from Cuba, the United States, Canada, the European Communities, France, South Africa and Zimbabwe containing requests for extensions of waivers previously granted to them under the GATT 1947, and to the related draft decisions.

Mr. Narayanan (India), Chairman of the Council for Trade in Goods, reporting on the consideration of these requests by the Council, noted that Cuba's request had been before the Council on 5 July 1996 and that the Council had decided to revert to this request later in the light of the outcome of consultations that were in progress in a wider context on a number of waivers coming under paragraph 2 of the Understanding in respect of waivers of obligations under the GATT 1994. These consultations had led to an understanding that these waivers should follow the procedure set out in Article IX:3 of the WTO Agreement. Subsequently, at its meeting on 19 September, the Council had considered and approved the requests for extensions of waivers that were listed under the present agenda item, and had forwarded the related draft decisions to the General Council for adoption.

The representative of the United States said that his Government would be unable to join in a consensus on granting any of these waiver requests. The United States had no particular substantive

objection to any of the requests. Indeed, at the meeting of the Council for Trade in Goods on 19 September, it had permitted that Council to favourably report these waiver texts to the General Council, even though the US request for a one-year extension of its own waiver to implement its automotive agreement with Canada had been blocked by Japan on grounds that the latter required more information from the United States. Since that meeting of the Council for Trade in Goods, however, the United States had neither received any request for information nor been given any specific indication of a problem concerning its waiver request. This was unjustifiable and unfair, and until his Government received a satisfactory explanation from Japan, it would not be in a position to join in a consensus on these requests.

The Chairman proposed that, in view of the United States' statement, the General Council agree to revert to this issue at its next meeting.

The representative of Cuba recalled that in informal consultations held prior to the September meeting of the Council for Trade in Goods, the prevailing view had been that each request for a waiver extension should be analyzed on its own merits even though all might be dealt with in a single meeting. Cuba had been the first country to follow the procedures established and to put forward its request for a waiver extension. His delegation was therefore disappointed that the process agreed to could not be followed, and that because of difficulties with one request, the others were being held hostage. He noted that the United States had no difficulty with the substance of any of the requests that had been considered by the Council for Trade in Goods on 19 September. However, while his delegation believed that the present procedure should not establish a precedent, it would not object to postponing consideration of these requests until the next meeting.

The representative of Zimbabwe recalled that the requests before the General Council had been approved by consensus by the Council for Trade in Goods on 19 September, and that each request had been considered separately on its own merit. He hoped that any agreement to postpone consideration of these requests, as suggested by the Chairman, did not imply some sort of "single undertaking" with regard to the waivers nor any cross-linkages between certain issues, and that it would not be precedent-setting. If consideration of the requests were postponed, it was his understanding that they would be taken up again at the next meeting. His delegation would go along with this procedure given that the waivers in question did not expire until 31 December 1996.

The representative of Japan said that his Government fully supported the requests that were before the General Council, and associated his delegation with the statements by Cuba and Zimbabwe. He regretted that his delegation had been unable as yet to submit questions to the United States on the latter's request for a one-year extension of the waiver to implement its automotive agreement with Canada. His delegation hoped to be able to contact the United States in the very near future on this matter.

The representative of Jamaica said he was unclear as to the procedure suggested by the Chairman, and asked if the Chairman of the Council for Trade in Goods could also speak to this issue so that the General Council could be clear as to what its decision was about to be.

The Chairman reiterated his proposal that since there was no consensus on these requests, the General Council agree to revert to them at its next meeting.

The Chairman of the Council for Trade in Goods reiterated his earlier statement that the Council had considered these requests and had agreed to forward the related draft decisions to the General Council for adoption. Therefore, the final decision on these requests now rested with the General Council. He recalled also that in consultations held prior to the Council's consideration of these requests, it had been concluded that each waiver request was a separate matter and had to be considered on its

own merits. The Council had made its recommendations, and it was for the General Council to decide on the requests.

The representative of Jamaica asked whether this agenda item would be resubmitted for consideration at the next meeting in its present form or whether there would be additions to it.

The Chairman said that the General Council was only dealing with the item before it as it presently stood. If it decided to revert to this item, then it would indeed be this item in its current form that would be reverted to.

The General Council took note of the statements and agreed to revert to this item at its next meeting.

5. Preparations for the 1996 Ministerial Conference
 - (a) Report by the Director-General
 - (b) Progress reports by the Chairpersons of WTO bodies
 - (c) Election of officers of the Ministerial Conference
 - (d) Organizational matters
 - (e) Attendance of observers at the Ministerial Conference
 - (i) Governments
 - (ii) International intergovernmental organizations
 - (iii) Non-governmental organizations

The Chairman said that, as delegations were aware, preparatory work for the Ministerial Conference was presently under way in the various WTO bodies, and consultations were also being conducted in parallel by the Director-General under the Heads-of-Delegations process. In view of this, it was his intention to convene an additional meeting of the General Council on 14 October to look comprehensively at the preparatory work. At that meeting, the Director-General and the Chairpersons of the different WTO bodies would be invited to make full progress reports on the preparatory work being undertaken in their respective areas of responsibility. Accordingly, under sub-items (a) and (b) at the present meeting, he would invite the Director-General to provide a very brief indication of the state-of-play in the Heads-of-Delegations process and the Chairpersons of the three sectoral Councils to provide brief progress reports.

- (a) Report by the Director-General
and
- (b) Progress reports by the Chairpersons of WTO bodies

The Director-General said that consultations under the Heads-of-Delegations process had been proceeding as agreed in July. As a result of the consultations, an outline of a Ministerial Declaration had been drawn up, which would be circulated to delegations that day and discussed at a meeting on 7 October. Consultations were also continuing on all the other issues under the Heads-of-Delegations process, and he would make a full report on all the consultations at the General Council meeting on 14 October.

Mr. Narayanan (India), Chairman of the Council for Trade in Goods, reporting under his own responsibility, said that an informal meeting of the Council had been convened on 7 October to discuss primarily the format and content of the Council's report to the Ministerial Conference. In this connection, he intended to ask Members to state their views on the following matters: (i) the Council's treatment of the reports submitted by its subsidiary bodies in the context of the Ministerial Conference;

(ii) a proposal by Australia on further industrial tariff negotiations; (iii) the review foreseen under Article 6 of the Agreement on Pre-shipment Inspection, in particular in which WTO body such a review should take place as well as its timing; and (iv) the Council's report on the discussion held on the implementation of the Agreement on Textiles and Clothing and related matters. He was confident that the report would be finalized in time for the 1 November meeting of the Council for adoption.

As to the subsidiary bodies, work was generally on track. All bodies were well advanced in the preparation of their draft reports and most had had an initial discussion on the contents of these reports. A few had finalized their reports which were now merely awaiting formal adoption, and one had adopted its report. However, there had also been some slippages, and some reports had not been adopted on the dates originally envisaged. Some of the reports were expected to be only factual, while others were expected to contain conclusions and recommendations as well as suggestions, along the lines suggested by the General Council Chairman on 16 April.³ As regards the specific bodies, the Committee on Market Access would finalize its draft report at an informal meeting to be held on 11 October, and it was anticipated that the report would be adopted, as scheduled, at a meeting on 18 October. The Chairman of the Committee on Rules of Origin had indicated that agreement had been reached on most paragraphs of the latter's report, and was confident that the few outstanding areas would be cleared in time for the report to be adopted at a meeting on 11 October. The reports of the Committees on Customs Valuation and Import Licensing Procedures were factual in nature, and no major problems were anticipated regarding their adoption on the scheduled dates, namely 25 October for the Committee on Customs Valuation, and 23 October for the Committee on Import Licensing Procedures. In the Agriculture area, the two reports were expected to be adopted at the 24-25 September meeting of the Committee. However, further work needed to be done in order to obtain agreement on these reports. A special meeting of the Committee would be scheduled when the reports were ready for adoption. As regards the Committee on Sanitary and Phytosanitary Measures, it would discuss its report further in informal consultations to be held on 4 October, and the report was expected to be adopted at a meeting scheduled for 8-9 October. The three Rules-area Committees, i.e. Anti-Dumping Practices, Subsidies and Countervailing Measures, and Safeguards, had taken common decisions regarding their annual reports. The Secretariat had been directed to prepare draft reports in the same format as the previous year's reports, and the report of the Committee on Anti-Dumping Practices would also include a short section on anti-circumvention, reporting to Ministers on what the Committee had done and on the informal consultations through the year. The Secretariat had been requested to incorporate from the previous year's reports those aspects of implementation that would help explain the progress the Committees had made. The Committees had requested that these draft reports be circulated in late September or early October. Thereafter, the Committees would meet informally, if Members wished, to discuss any additional matters for inclusion in the reports. The reports would be finalized at the regular meetings of the Committees scheduled for the week of 21 October. As regards the Committee on Technical Barriers to Trade, a revised draft report, which was factual in nature, was expected to be adopted at the Committee's meeting on 16 October, and no problems were anticipated. As regards the Textiles Monitoring Body, its report had been adopted on 1 October, while the Committee on Trade Related Investment Measures had had a first discussion of its report at its meeting on 30 September, and would consider the report again on 11 October. As regards the Working Group on Notification Obligations and Procedures, it had decided to finalize its report and recommendations at a meeting scheduled for 3 October. The report contained recommendations for action to be taken by the Council in accordance with the Working Group's terms of reference. The Group would also attach to its report an updated version of document G/NOP/W/14 so that the latest situation with regard to fulfilment of notification obligations would be available. Finally, with regard to the Working Party on State Trading Enterprises, its draft report had been discussed

³See WT/L/145.

at a meeting on 26 September. Further consultations would be required to finalize the report, which was expected to be adopted on 24 October.

Mrs. Bautista (Philippines), Chairperson of the Council for Trade in Services, said that the Council had discussed the question of its report to the General Council and to Ministers on 23 September. The report would be discussed again at an informal meeting to be convened on 24 October and would be finalized on 30 October. The Council's report would contain factual information on the work carried out during 1996, together with any recommendations or proposals that might be agreed regarding future work. It would also contain reports of the various subsidiary bodies that reported to the Council. With regard to the work of the subsidiary bodies, she said that the Working Party on GATS Rules would consider its draft report at an informal meeting on 8 October, with the intention of finalizing it at a formal meeting to be held on the same day. The Working Party on Professional Services would consider its report at a meeting to be held that afternoon, and would finalize it at a further meeting scheduled for 17 October. The Committee on Specific Commitments would consider, and hopefully finalize, its report on 10 October. The Group on Basic Telecommunications had considered its report for the first time on 20 September, and would finalize it on 18 October. The Committee on Financial Services would consider, and hopefully finalize, its report on 22 October. The Group on Maritime Transport Services had already completed its report. All of these reports by the subsidiary bodies, like that of the Council itself, would comprise factual information on work done this year, together with any proposals or recommendations regarding the organization of future work.

Mr. Armstrong (New Zealand), Chairman of the Council for TRIPS, said that the Council had taken up the question of its report to the General Council at its meeting on 18 September. Informal consultations had been held on that day and also on 17 September on the basis of a draft prepared by the Secretariat. As a result of these consultations, there appeared to be agreement on the text of the descriptive part of the report, with the exception of one paragraph on which further work was necessary. There had also been a first discussion on Section IV of the report which would contain the issues, problems and recommendations, if any, that the Council considered should be brought to the attention of Ministers. A number of proposals had been put forward, which the Secretariat was compiling into a checklist for distribution informally to all Members. He planned to resume informal consultations on the Council's report on 15 October and to hold a short formal meeting of the Council to adopt the report once the work had reached a stage which would warrant it.

The Chairman recalled that under the reporting procedures for the Singapore Ministerial Conference (WT/L/145), it had been suggested that reports of subsidiary bodies include, inter alia, an indication as appropriate of issues and problems which had been identified and recommendations if any. However, in listening to the brief reports from the Chairpersons above, it had become clear that there would be conclusions or recommendations in some reports, but not in all. With regard to the state of progress of work in subsidiary bodies, he had noted from the reports that although work was generally advancing satisfactorily, in some cases it had not been possible to adopt reports on the dates that had been scheduled. He urged all delegations to make an effort to ensure the adoption of the subsidiary bodies' reports on time so that the General Council could itself adopt its report on 7 November. It was important that reports that had been unable to be adopted in the time-frames foreseen, should be adopted as soon as possible. As regards the Director-General's report, he had concluded therefrom that one had reached the end of the first phase of identification and analysis of problems, positions and proposals, and was moving into the operational phase as indicated by the Director-General himself. A clearer picture of the process as a whole would be available by the next meeting of the General Council on 14 October.

The representative of Australia said he welcomed the Chairman's reminder about timing and about the recommendations that a number of WTO bodies would be expected to make in their reports. Australia had consistently held the view that the Ministerial Conference should focus on assessing

progress in implementing the outcome of the Uruguay Round, and also on giving the WTO a work programme beyond Singapore including ensuring that appropriate post-Singapore work of analysis and information gathering was carried out to adequately prepare the ground for further negotiations foreshadowed in the built-in agenda of the Uruguay Round. In this regard, Australia had put forward on its own, and together with other Members, proposals on post-Singapore work which were of the highest importance for it.

In services, Australia had proposed a post-Singapore work programme that would encompass both on-going and other aspects of the built-in agenda yet to be taken up with a view to their continuation or commencement in 1997, including establishing negotiating guidelines and procedures in accordance with Article IX of the GATS, focusing on the on-going rules negotiations with a view to completing them before the market-access negotiations began again in 2000, intensifying work on professional services, and initiating, along the lines also proposed by Chile, a process of analysis and information exchange on global developments in services trade that would provide a better, factual basis for further negotiations from 2000.

In agriculture, together with other members of the CAIRNS Group, Australia had proposed a post-Singapore work programme which would enable the Committee on Agriculture to continue with its work of monitoring the effective implementation of the Agreement on Agriculture and, importantly, embark on a work programme consistent with all elements of Article 20 of the Agreement in order to ensure that the groundwork for the negotiations foreshadowed by 1999 for the further reduction of support and protection for agriculture was properly prepared.

On industrial tariffs, Australia was calling for the Ministerial Conference in Singapore to recognize that there would need to be further broad-based tariff negotiations to coincide with the negotiations on services and agriculture to take place from the end of the decade. Australia believed that the latter aspect was important to build the necessary confidence that the market-access negotiations foreshadowed under the built-in agenda of the Uruguay Round would take place on the basis of a broad and balanced agenda which would encompass the interests of all Members. In this regard, Australia was also proposing that the Market Access Committee be given authority to carry out post-Singapore work of analysis and information exchange to prepare the ground for these future negotiations. He wished to emphasize, in reminding Members of the proposals Australia had made, that in none of these initiatives had Australia proposed the accelerated implementation of Uruguay Round results. Nor had Australia proposed that any of the deadlines for further negotiations in the built-in agenda be brought forward. What Australia did want, however, was to ensure that the necessary work of prior analysis and information gathering was undertaken to ensure that further market-access negotiations could be engaged effectively from the dates foreshadowed in the Uruguay Round package. That said, he wished to emphasize, in the particular case of industrial tariffs, that Australia would support further sectoral packages of tariff liberalization with broad participation which hopefully could be agreed for implementation at Singapore or shortly thereafter.

Further sectoral liberalization at Singapore would provide the WTO with short-term "runs on the board" on trade liberalization and would itself constitute an important confidence-building step towards further, broad-based tariff negotiations to coincide with those on agriculture and services. He took this opportunity to remind other Members of the importance that Australia attached to the preparatory work for Singapore now ongoing in the WTO councils and committees. He therefore wished to stress the importance for the WTO bodies to conclude their work by the time-frame that had been set. He welcomed, in that context, the additional General Council meeting that the Chairman intended to convene on 14 October to review progress.

The representative of Mexico said he would join in the Chairman's appeal that the reports from the various WTO bodies to the Ministerial Conference be adopted on time and in accordance with the

established timetables. In joining in this appeal, he also wished to state that it would be difficult to achieve this objective if substantive proposals continued to be submitted as late as the previous week, which implied either new negotiations or a re-opening of issues that were negotiated in the Uruguay Round. In order for the work to be completed in time, there had to be a collective responsibility in not submitting new, substantive proposals at this stage. Mexico agreed with the Chairman that one was entering the second phase of the preparatory process. In this phase, Mexico would be interested if at some time one could look into the whole concept of the built-in agenda as an integral concept, and that delegations that had not been able to attend the many meetings held recently would be able to see the whole built-in agenda and the future work programme as a whole. He suggested that it would be useful for all delegations if the reports made by the Chairpersons of the three sectoral Councils at the present meeting could be made available.

The Chairman said that he fully endorsed Mexico's statement regarding the late submission of proposals by delegations. This was indeed a risky procedure. He agreed that delegations needed also to have a better overall view of the preparatory process given that not all delegations had the same resources.

The General Council took note of the statements.

(c) Election of officers of the Ministerial Conference

The Chairman recalled that the Rules of Procedure for Sessions of the Ministerial Conference (WT/L/161) provided for the election of a Chairperson and three Vice-Chairpersons who would hold office from the end of one session until the end of the next regular session. Since the Singapore Ministerial Conference was the first Ministerial Conference, and there was no elected Chairperson, he proposed that the General Council act on behalf of the Ministerial Conference and elect a Chairperson and three Vice-Chairpersons at its meeting on 7 November. If this proposal were acceptable, he would consult with Members so that the election of the above officers could take place at the General Council meeting on 7 November.

The representative of Korea said he looked forward to the 7 November General Council meeting where he expected that the two different sets of officers, one for the Singapore Ministerial Conference and the other to hold office following that Ministerial Conference, would be agreed on. He asked if Members were also going to discuss the venue of the next Ministerial Conference.

The Chairman said he had proposed that on 7 November the General Council elect only the officers for the Singapore Ministerial Conference, and not those that would hold office from the end of that Ministerial Conference until the end of the next. That would be decided in Singapore itself, at the end of the Ministerial Conference. It was clear, however, that consultations regarding the next set of officers would have to be held beforehand. There was also some degree of linkage between the venue of the next Ministerial Conference and the officers to be elected at the end of the Singapore Ministerial Conference. The question of venue would therefore also have to be looked at in consultations.

The General Council agreed to the proposal by the Chairman.

(d) Organizational matters

The Chairman addressed the following organizational matters relating to the Ministerial Conference.

- (i) Opening session of the Ministerial Conference
 - (a) In accordance with the usual practice at Ministerial meetings, a brief inaugural ceremony would be held at the opening session to welcome the Prime Minister of Singapore.
 - (b) The elected Chairperson of the Ministerial Conference would invite the Prime Minister of Singapore to address the Conference.
 - (c) At the end of his address to the Conference, the Prime Minister of Singapore would declare the first Ministerial Conference of the WTO formally opened.
 - (d) After the departure of the Prime Minister of Singapore, the Chairperson would take up the following business on the morning of Monday, 9 December:
 - (i) Adoption of the Agenda.
 - (ii) Agreement on the Order of Business.
 - (iii) Introduction of the Report of the General Council by the Chairman of the General Council.
 - (iv) Introduction of the Report on an overview of developments in international trade and the trading system by the Director-General.
 - (v) Statements by Ministers.
- (ii) List of speakers

Members wishing to speak at the Ministerial Conference should contact the Secretariat and make reservations for a specific time not later than 1 November 1996. Statements should be limited to a maximum of five minutes. If a delegation so wished, a longer text would be circulated in document form to the Ministerial Conference.

Requests for reservations for time slots made after 1 November would be accommodated in accordance with the availability of time. The purpose of this procedure was to enable the Secretariat to organize in advance the sequence of plenary sessions of the Ministerial Conference.

The representative of Singapore informed the General Council that only 75 delegations had thus far indicated their accommodation requirements to his authorities, and urged other delegations to also do as soon as possible in order to help his authorities provide all delegations with facilities as close as possible to the Conference Centre.

The Chairman said that he hoped all delegations had taken due note of Singapore's plea, and that it was important to try and facilitate the host country's own preparatory work for the Ministerial Conference.

The representative of Zimbabwe asked whether the Chairman intended to provide any information regarding the so-called business meetings to be held during the Ministerial Conference, as well as on other meetings that would be held to deal with any Ministerial Declaration or other substantive matters.

Mr. Barthel-Rosa, Secretary of the General Council, said that the formal order of business for the Ministerial Conference would actually be decided at the opening meeting of the Ministerial Conference itself. What was being envisaged was plenary meetings in the morning and afternoon of Monday, 9 December, and thereafter plenary meetings only in the mornings, in order to allow the

afternoons to be free for Ministers to work and consult. This was the idea behind the "business" meetings to be held in the afternoons. There was as yet no decision on the shape or form or content of these meetings. This would only be decided in the light of the progress of the preparatory work.

The Chairman said that if delegations required any additional information regarding the organizational aspects of the Ministerial Conference, they should contact the Secretariat.

The General Council took note of the statements.

(e) Attendance of observers at the Ministerial Conference

(i) Governments

The Chairman recalled that under the guidelines for observer status for governments in the WTO (WT/L/161, Annex 2), governments accorded observer status in the General Council and its subsidiary bodies "shall be invited to attend sessions of the Ministerial Conference as observers." The procedure, therefore, for governments presently accorded observer status in the General Council and its subsidiary bodies was clear: they would be invited as a matter of course to the 1996 Ministerial Conference. However, other governments that wished to have observer status at the Ministerial Conference, and did not at present have such status in the General Council and its subsidiary bodies, would have to make a formal request in accordance with the provisions of paragraph 1 of the guidelines. Any such requests would be examined in accordance with the procedures set out in the guidelines. Furthermore, observer governments that wished to speak at the Ministerial Conference would be invited to do so after Members had spoken, as provided for in the procedures.

The General Council took note of the statement.

(ii) International intergovernmental organizations

The Chairman informed the General Council that the following organizations which were not already observers to the WTO had requested attendance at the 1996 Ministerial Conference: the Common Market for Eastern and Southern Africa (COMESA); the Central American Bank for Economic Integration; the Common Fund for Commodities; and the Islamic Development Bank. He proposed that the General Council accept these requests and invite these organizations as observers to the Ministerial Conference.

The General Council so agreed.

(iii) Non-governmental organizations

The Chairman recalled that at the General Council meeting on 18 July, a method of proceeding with regard to non-governmental organizations had been agreed, and also that a list of NGOs that had applied for attendance would be circulated for the information of the General Council. The Secretariat had subsequently examined carefully the requests from NGOs and checked that only applications from NGOs "concerned with matters related to those of the WTO" were accepted. On that basis, 118 NGOs had complied with the requirements and had received a registration form. These organizations were listed in an informal document that had just been circulated by the Secretariat. He invited delegations to examine this list and proposed that, in the absence of any reservations from delegations by 4 October, the Secretariat send a confirmation to these NGOs inviting them to the Ministerial Conference.

The representative of Mexico said that this was a delicate and sensitive matter, and it was inappropriate to expect that governments would be able to examine the list circulated by the Secretariat

before 4 October. Before governments could address this question, they would also need a very clear idea as to the modalities for the attendance of NGOs at Singapore. The present agenda item, for example, was entitled "Attendance of organizations as observers at the Ministerial Conference" and, as all were aware, observers could be invited to speak at meetings after Members had spoken. This implied that NGOs could be invited to speak at the Ministerial Conference. However, his delegation did not recall that the modalities of attendance of NGOs had been discussed. Furthermore, a quick perusal of the names of the NGOs on the list showed that about ten of them had an interest in labour issues. However, the understanding had been that NGOs to be sent registration forms would be those "concerned with matters related to those of the WTO". His delegation wished to be informed in greater detail of the major activities of each of these NGOs and their particular interest in attending, and was not in a position to agree to the deadline of 4 October. It believed that consultations needed to be held to clarify several important issues.

The Chairman said that NGOs clearly did not have any right to speak at the Ministerial Conference. The Rules of Procedure for the Ministerial Conference (WT/L/161) provided only for observer governments and observer international intergovernmental organizations to be invited to speak at meetings at which they were observers. Non-governmental organizations clearly did not have such status, and therefore no right to speak.

Mr. Frank, Director of the External Relations Division, recalled that at the 18 July General Council meeting it had been agreed that certain facilities should be provided for NGOs at the Singapore Ministerial Conference. It had also been agreed that the NGOs invited would not "participate" in the Ministerial Conference in any way, but would only be invited to attend the plenary meetings. An information centre for the NGOs would also be set up near the Conference centre, and they would be invited to participate in cultural activities to be organized by the host government in parallel with the Ministerial Conference. In order for the NGOs to participate in these activities, they would be supplied with badges upon receipt of their registration forms. These modalities had been published for the information of all in "Focus", the WTO newsletter. As the Chairman had just noted, NGOs had not been granted "observer" status in any way in the WTO. Indeed, on 18 July, the General Council had adopted guidelines for arrangements on relations with NGOs (WT/L/162) pursuant to Article V:2 of the WTO Agreement, which had established the modalities for WTO's relations with these organizations. The selection of the NGOs to be invited to Singapore had been undertaken by a selection committee, in which different divisions of the Secretariat had been represented, and each request had been carefully scrutinized. As a result of this process, a final list of 118 organizations had been drawn up, which consisted of NGOs in the strictest sense of the term. He noted that a deadline of 1 October, i.e. the previous day, had been set for receiving applications, as a result of which the list could not be circulated to delegations sooner.

The Chairman asked if the Secretariat could clarify the reasons for selecting 4 October as the date for sending a confirmation to these NGOs.

The Director of the External Relations Division said that the General Council on 18 July had agreed essentially to a two-stage procedure with regard to NGOs. NGOs had first to make a formal request for attendance and explain how their activities related to those of the WTO, on the basis of which a list of NGOs to be invited was to be drawn up. Thereafter, if delegations did not indicate any problems with the list, those NGOs were to receive confirmation of registration. For logistical reasons, and to help NGOs find accommodation in Singapore, which they could only do once they had received confirmation of their acceptance, the confirmation notices needed to be sent out at the earliest opportunity.

The representative of Korea said his Government attached great importance to this issue, and did not believe that there had been a transparent and comprehensive information dissemination process.

Korea could not accept the deadline of 4 October. It had not received any comprehensive, organized information on the applications to be made for the participation of NGOs. If Korea had known, for example, that national Chambers of Commerce were also qualified for participation as NGOs in Singapore, it would have been prepared to submit applications. This information had therefore to be provided to all Members and a new deadline for applications set. Members had not been made aware of the whole range of organizations that could qualify for participation in Singapore, nor that there would be a selection committee to scrutinise the applications. He reiterated that all this information should be made available, and the deadline extended.

The Chairman said that an extension of the deadline would have to be considered if that were the wish of delegations. However, he believed it would be difficult at the beginning of October to consider resuming the selection process. He recalled the criteria that had been agreed in July, and noted that this information had been made public. However, he would be willing to hold consultations on this matter if delegations wished.

The representative of India said that his delegation shared Mexico's concerns. He presumed that the NGOs that had applied for participation had been told clearly that they would not be allowed to speak. As regards the list that had just been circulated, he believed it was reasonable to give delegations some further time to examine it.

The representative of Morocco said he endorsed a number of the comments by Mexico and Korea. Given the importance of this matter, and that this was the first time the WTO would be inviting the participation of NGOs, delegations would need a little more time to reflect on this. While it was true that the General Council had mandated the Secretariat to receive requests from NGOs and to make a selection, delegations wished to have some more information on the process. Morocco would wish to know, for example, the number of NGOs that had actually requested attendance, and which NGOs, if any, had been rejected and the criteria therefor. There was no universally accepted definition of an NGO, and the practice applied by other organizations, namely to use as a reference point those NGOs that had UN ECOSOC observer status, could have been used by the WTO. He supported the suggestion that the deadline for requests for attendance be extended. His delegation, for example, had only become aware upon examining the Secretariat's list that national chambers of commerce could participate. This being so, he would wish to have Morocco's Chamber of Commerce considered for participation.

The representative of Pakistan said that delegations had to examine with great caution the list that had been circulated that morning. Pakistan wondered how several of the NGOs included in the list could be reconciled with the criterion that they should be "concerned with matters related to those of the WTO", particularly when they appeared to deal with labour standards, on which there was such a raging debate in the WTO. Pakistan noted also the inclusion in the list of a number of NGOs dealing particularly with environmental issues. He believed that delegations needed to look at this list more carefully, devote the requisite time to it, consult with their capitals and with others, including the Secretariat, and revert to it at a future date. He suggested that delegations that wished to provide an input into the process should have the opportunity to do so.

The representative of Singapore said that, as the host country, his Government had taken the view that NGOs which had indicated a genuine interest in the WTO's work should not be discouraged from attending the Ministerial Conference. Singapore believed that the WTO should be the concern not only of Member governments but also of society at large. While he appreciated the reasons for the requests to extend the deadline, his authorities had a particular problem relating to accommodation, and would need to know as early as possible the number of NGOs that would attend. He urged delegations to approach this issue positively and not negatively. This would be the WTO's first contact with NGOs, and Members should show that they wished to have a dialogue with the NGOs and to

deal with the issues that all were faced with in a dignified manner that would advance the cause of freer trade and growth and development.

The representative of Venezuela said that the concerns expressed by Mexico were shared by several other delegations, including his own. At the same time, one had to acknowledge that the responses provided by the Secretariat had satisfactorily met these concerns, particularly regarding the limited rights of participation of the NGOs, that they would be allowed only to attend plenary meetings and would not have the right to speak. He believed, however, that it would be reasonable to consider additional time for delegations to be able to take a closer look at the list of NGOs.

The representative of Mexico said that his delegation was not taking a negative approach towards NGOs. It believed, however, that it was unfortunate that an important decision such as this was taken on 18 July under "Other Business". This matter should have been included on the regular agenda so that delegations could have come prepared for it. To avoid any misunderstandings, Mexico believed it was important to have a clear picture of the modalities for the attendance of NGOs at Singapore. With regard to the list of the NGOs to be invited, he believed that Members should take the final decision, and not a Secretariat selection committee. His delegation did not intend to delay this process in any way and would be ready to participate in consultations immediately to resolve the matter, in view of Singapore's concerns.

The Chairman said that although this matter had been brought to the General Council on 18 July under "Other Business", this had been done as a follow-up to open-ended consultations that had been held with delegations. Furthermore, the records showed that he had stated the following at that meeting: "... It was not necessary to have a formal decision by the General Council on the list of NGOs to be invited. It was clear that if any Member had a problem with the list circulated by the Secretariat, this would be resolved through consultations. The list would be considered approved in the absence of any reservations to it" (WT/GC/M/13, item 11(b)). He recognized that there were some reservations, and he intended to address them. However, he wished to underline that he was fully respecting the procedure that had been agreed in July. Neither he nor the Secretariat were attempting to impose any list on any delegation. The deadline of 4 October had resulted from internal consultations and had intended to respond to time constraints and to enable accommodation requirements to be met by the host country. This date could be extended if delegations wished, and he would revert to this question later.

The representative of Bolivia said she endorsed Mexico's and Venezuela's statements regarding the need to clarify some basic concepts regarding NGO participation. Her delegation agreed that the first Ministerial Conference would be definitive in setting a precedent for future participation. A reasonable criterion would be to select those NGOs whose interests related to issues presently dealt with in the WTO, and not to issues on which not even a consensus as to a future agenda in the WTO had been reached. She suggested that the Secretariat send copies of the requests received from NGOs to delegations so that they could transmit this information to their authorities.

The representative of Korea said that the issue at hand was not one of the General Council discussing, on the basis of the Secretariat's list, whether one or two Members had reservations to any of the entities listed therein. There was, in fact, a more fundamental issue involved. If Korea had known, for example, that organizations such as a national Chamber of Commerce, or the Catholic Institute for International Relations were qualified for participating at the Singapore Ministerial Conference, it would have come forward with more names of entities. Korea had not participated in any consultations held by the Chairman, and had not known what types of entities were qualified to submit requests. He reiterated his suggestion that the deadline for the receipt of applications be extended.

The Chairman said that, as had been agreed, delegations had been provided with a list of NGOs to be invited, and they had now to examine it. If the deadline for doing this was felt to be too short, it would have to be extended, as was the wish of delegations. At the same time, he believed that consultations would have to be held to clarify any points and to avoid any misunderstandings. In extending the deadline, however, the needs and requirements of the NGOs as well as of the host country would need to be taken into account. With this in mind, he suggested that the deadline be extended to 11 October, and that consultations be held in the meantime on all aspects of the matter at hand.

The representative of Morocco recalled that there had been one deadline of 1 October for the submission of requests by NGOs, and another of 4 October for delegations to examine the list drawn up by the Secretariat and indicate any reservations they might have. His delegation had wished to have the deadline for requests to attend to be extended. He understood from the Chairman's statement that both deadlines would now be extended.

The Chairman said that the problem of extending the 1 October deadline was that it had been announced publicly in various journals and publications, as well as on the internet. He would hold consultations to see what could be done. He believed one would have to look into any organizational difficulties that might arise, and consult also with Singapore's authorities. It was essential in this operation to avoid sending any messages that were not positive as regards NGO participation at Singapore. The modalities for this participation were clear, and Members should try to meet the requests from NGOs as much as possible. He reiterated that he would hold consultations to provide all the necessary information and to meet all the concerns of delegations.

The representative of the United States said that, like Morocco, his delegation too had a query as to what was being prolonged until 11 October. He understood now from the Chairman's statement that the deadline for comments from delegations was being prolonged to 11 October, but not the deadline for receiving requests from NGOs.

The Chairman said he would have preferred that the extension of the deadline for NGO requests be decided on once the organizational elements had been examined with Singapore. He did not believe that the General Council could decide this at the present meeting, out of concern that this might place Singapore in a very difficult situation. Of course, if delegations wished to extend this deadline now, it would be up to them, and Singapore might well have a view on this. He would suggest that at the present meeting the General Council extend only the deadline for comments on the list that delegations had received and that delegations see in the course of the subsequent consultations what other decisions might be taken. In view of the practical elements involved, he believed that the 1 October deadline could not be debated at the present meeting without more information. If there was a consensus subsequently on the extension of the deadline, then the Secretariat could extend it with his agreement and in consultation with delegations, without having to take a formal decision.

The representative of Korea said that he did not agree with the procedure proposed. He believed that the General Council could take any decision, including a decision to revise whatever had been agreed on earlier. The General Council was fully authorized to make new decisions. There had been a suggestion at the present meeting, supported by several delegations, to extend the deadline for receiving applications from NGOs. The General Council was very much in a position to take a decision on this suggestion. His delegation could not accept any rulings from the Chair that went counter to the fundamental authority of the General Council to take any decisions.

The Chairman said that if there was a formal proposal at the present meeting to extend the 1 October deadline, he would certainly not oppose it. He had merely wished to be able to consult with Singapore as to what a reasonable date should be. However, if delegations felt that consideration

to be superfluous, then one could certainly extend the deadline. He asked if delegations had any specific date to propose.

The representative of Korea proposed the date of 15 October.

The representative of India said he had noted that both Singapore and the Chairman had mentioned sending a positive signal to NGOs. However, Korea, India and a few other delegations were asking only for a few more days' time so that those NGOs that had previously thought they were ineligible, could now apply. As regards the need to take into consideration the practical arrangements to be made by the host country, he was certain that given the well-known efficiency of the Singapore authorities, they could be counted on to make excellent arrangements even at short notice. Therefore, if some Members wanted a few more days' time to allow some of their NGOs to submit applications for attendance, the Chairman should try to find a way, informal or formal, that would permit this.

The representative of Ecuador said that, like others, his delegation wished to have some concrete elements before taking a decision on the list of NGOs. He suggested that the Secretariat prepare a short document containing all the information that it had regarding the modalities for the attendance and participation of the NGOs at Singapore. Although some of this information might have been provided in informal consultations, it would be useful to update and consolidate all the information and the exchanges of views regarding the modalities for the participation of NGOs in a single document, which could perhaps be annexed to an updated version of the list that had been circulated that morning.

The Chairman said that the Secretariat would prepare the document requested by Ecuador. He hoped that consultations could be held even if the document were not ready, although it would clearly be made available as soon as possible. He believed delegations were in favour of extending the deadline for NGOs to submit applications until 15 October, and proposed that consultations be held in the meantime to clarify all elements of interest to delegations. Since the next meeting of the General Council was scheduled for 14 October, a method for approving the list of the NGOs as soon as possible after the deadline of 15 October for submission of applications would have to be found.

The General Council took note of the statements, and agreed that the Secretariat would prepare a paper outlining the agreed modalities for the attendance of NGOs at the Ministerial Conference and that the deadline for registration of NGOs be extended to 15 October.

6. Observer status for international intergovernmental organizations

The Chairman, speaking under "Other Business", recalled that, in accordance with the *ad hoc* arrangements for observer status for international intergovernmental organizations approved at an informal meeting of Heads of Delegations on 16 March 1995⁴, and as agreed at the General Council meeting on 18 July 1996, the following organizations had been invited as observers to the present meeting: United Nations, UNCTAD, IMF, World Bank, FAO, WIPO and OECD. It was his understanding that, pending agreement on the organizations to be accorded observer status in the General Council in accordance with the guidelines for such status agreed on 18 July⁵, the above organizations would also be invited also to the next meeting.

The General Council took note of this information.

⁴See WT/GC/M/3, item 3.

⁵See WT/L/161, Annex 3.