

WORLD TRADE ORGANIZATION

G/C/W/469
14 October 2003

(03-5428)

Council for Trade in Goods

SRI LANKA – ESTABLISHMENT OF A NEW SCHEDULE VI

Extension of Time-Limit

Draft Waiver Decision

The General Council,

Considering that the CONTRACTING PARTIES to GATT 1947, by their Decision of 8 November 1988¹ suspended the application of the provisions of Article II of GATT 1947 to the extent necessary to enable the Government of Sri Lanka to implement the Harmonized Commodity Description and Coding System (Harmonized System) on 1 January 1989 and carry out negotiations subsequently;

Taking into account that, by successive Decisions, the time-limit of the waiver granted to Sri Lanka has been extended until 31 October 2003².

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 Sri Lanka for the establishment of a new Schedule VI;

Taking into account that the documentation relevant to the transposition of Sri Lanka's Schedule into the Harmonized System was circulated in document SECRET/HS/26 on 12 January 1990;

Considering that the Government of Sri Lanka has initiated Article XXVIII negotiations with five Members and has concluded with four of them, and is currently negotiating with the remaining one;

Considering that the Government of Sri Lanka has assured its trading partners in these negotiations that every effort will be made to conclude the negotiations satisfactorily and in the mutual interest of all concerned as soon as possible;

Considering that the Government of Sri Lanka, having fulfilled the requirements of paragraph 1 of the Understanding in Respect of Waivers of Obligations under the GATT 1994, has requested a further extension of the exemption of its obligations under Article II of GATT 1994⁴;

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 Sri Lanka by the Decision of 8 November 1988, until 30 April 2004.

¹ BISD, 35S/22.

² WT/L/532.

³ WT/L/3+Corr.1.

⁴ G/L/---.