

**WORLD TRADE ORGANIZATION**

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**MARRAKESH AGREEMENT ESTABLISHING  
THE WORLD TRADE ORGANIZATION  
DONE AT MARRAKESH ON 15 APRIL 1994**

NOTIFICATION OF ACCEPTANCE

I have the honour to inform you that on 21 June 1995 the Government of Guatemala deposited with me an instrument of ratification of the above-mentioned Agreement, thereby recognizing as fully binding the signature affixed by its plenipotentiary on 15 April 1994. At the time of signature of the Agreement, the Government of Guatemala made the following statement:

"The Government of Guatemala hereby provides notice to GATT that Guatemala's signature to the Marrakesh Agreement Establishing the World Trade Organization is without prejudice to all GATT and WTO rights relative to the European Union's (EU's) schedule of concessions for agricultural products as regards bananas (HS:0803.00.12). Throughout the verification process, Guatemala made known that the EU's treatment of bananas under their March 1992 offer violates numerous GATT norms, as a dispute settlement panel has made clear. The EU's recent "Framework Agreement on Bananas" notified to the GATT on 29 March 1994, which is now reflected in the schedule of the European Union, compounded those violations to the serious detriment of Guatemala. Despite Guatemalan efforts otherwise, EU officials have refused to enter into serious negotiations to address Guatemala's concerns on this item.

Accordingly, Guatemala wishes to make clear that in signing the Marrakesh Agreement Establishing the World Trade Organization, Guatemala in no way foregoes any rights or recourse available under GATT and the WTO to achieve a restoration of fair and legal EU access on bananas. Guatemala's position on this issue is fully consistent with all provisions and procedures of the new Agreement which preserves Guatemala's rights."

The following communications were received from the Government of Guatemala at the time of deposit of its instrument of ratification:

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"The Government of the Republic of Guatemala, in accordance with the rights conferred on it by paragraph 1 of Article 20, "Special and Differential Treatment", of the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994, formally notifies its decision to delay application of the provisions of the above Agreement for a period of five years.

In addition in accordance with the rights conferred on it by paragraph 2 of Article 20, the Government of Guatemala formally notifies its decision to delay application of paragraph 2(b)(iii) of Article 1 and Article 6 for a period of three years from the date when it shall have applied all other provisions of the Agreement.

The Government of the Republic of Guatemala reserves the right to retain officially established minimum values for the valuation of goods in accordance with paragraph 2 of Annex III of the Agreement.

The Government of the Republic of Guatemala reserves the right to provide that the relevant provision of Article 4 of the Agreement shall apply only when the customs authorities agree to the request to reverse the order of Articles 5 and 6 (Annex III, paragraph 3).

The Government of the Republic of Guatemala reserves the right to provide that paragraph 2 of Article 5 of the Agreement shall be applied in accordance with the provisions of the relevant note thereto, whether or not the importer so requests (Annex III, paragraph 4)."

"The Government of the Republic of Guatemala, in accordance with footnote 5 of Article 2.2 of the Agreement on Import Licensing Procedures, formally notifies its decision to delay the application of sub-paragraphs (a)(ii) and (a)(iii) for a period of two years."

In terms of Article XIV, paragraph 1, Guatemala shall become a Member of the World Trade Organization on 21 July 1995.

I also have the honour to inform you that on 23 June 1995 I received an instrument of ratification of the above-mentioned Agreement from the Government of Burundi, thereby recognizing as fully binding the signature affixed by its plenipotentiary on 13 December 1994. In terms of Article XIV, paragraph 1, Burundi shall become a Member of the World Trade Organization on 23 July 1995.

The instrument of ratification of Burundi was accompanied by the following communication:

"However, the Government of Burundi wishes to notify its intention of delaying the application of the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 in accordance with Article 20 thereof."

Furthermore, I have the honour to inform you that on 23 June 1995 I received an instrument of ratification of the above-mentioned Agreement from the Government of Sierra Leone. In terms of Article XIV, paragraph 1, Sierra Leone shall become a Member of the World Trade Organization on 23 July 1995.

In terms of Article XI, paragraph 1, the foregoing Governments shall be deemed original Members of the World Trade Organization.

This notification is furnished in accordance with paragraph 3 of Article XIV of the Agreement.

R. Ruggiero  
Director-General