PART IV ON TRADE AND DEVELOPMENT

Status of the Protocol and of the De Facto Implementation of Part IV

Note by the Director-General

As indicated in GATT/AIR/517 of 17 November the Protocol Amending the GATT to Introduce a Part IV on Trade and Development had then been accepted by thirty contracting parties, but cannot enter into force until forty-four acceptances are received. Paragraph 2 of the Protocol provides that it will be open for acceptance until 31 December 1965, but that this period may be extended by decision of the CONTRACTING PARTIES. Should the Council wish to recommend an extension, this could be done by submitting a draft decision to the contracting parties for a vote by postal ballot. A draft text for consideration by Council is annexed.

Further, it was noted in GATT/AIR/517 that the Declaration on the de facto Implementation of the Provisions of the Protocol will expire on 31 December 1965. Should the Council wish to recommend a new Declaration, prolonging the period of de facto implementation, this could be submitted to the contracting parties together with the postal ballot. For this purpose a draft declaration is also annexed for consideration by Council.
ANNEX A

PROTOCOL AMENDING THE GATT TO INTRODUCE A PART IV ON TRADE AND DEVELOPMENT

DRAFT

Decision Extending the Closing Date for Acceptance

Whereas the CONTRACTING PARTIES, at a meeting of Ministers in May 1963, recognized the need for an adequate legal and institutional framework to enable the CONTRACTING PARTIES to discharge their responsibilities in connexion with the work of expanding the trade of less-developed countries,

Whereas at the Second Special Session of the CONTRACTING PARTIES, on 8 February 1965, the Protocol Amending the General Agreement to Introduce a Part IV on Trade and Development was opened for acceptance by contracting parties, and

Whereas the said Protocol has not yet been accepted by a sufficient number of contracting parties for it to enter into force,

The CONTRACTING PARTIES,

Acting pursuant to paragraph 2 of the Protocol,

Decide to extend the closing date for acceptance of the Protocol until the close of their twenty-fourth session, and

Urge those contracting parties which have not yet accepted the Protocol to make every effort to do so in the near future.
ANNEX B

DE FACTO IMPLEMENTATION OF PART IV

DRAFT

Declaration Prolonging the De Facto Implementation of the Provisions of the Protocol Amending the GATT to Introduce a Part IV on Trade and Development

Considering that there will be some further delay in the entry into effect of the amendments provided for in the Protocol Amending the GATT to Introduce a Part IV on Trade and Development,

Recognizing that no obligation will arise prior to the entry into effect of the said amendments, and

Desiring to proceed as rapidly as possible towards the attainment of the objectives set forth in the Protocol,

Each of the governments assenting to this Declaration,

Declares that, until the close of the twenty-fourth session of the CONTRACTING PARTIES or until the amendments enter into effect, whichever date is the earlier, it intends to implement the amendments on a de facto basis to the extent allowed by existing constitutional and legal possibilities.