PARTICIPATION OF SWITZERLAND IN THE THIRTEENTH SESSION
OF THE CONTRACTING PARTIES

Note by the Executive Secretary

In the arrangements and procedures adopted by the CONTRACTING PARTIES at their Eleventh Session for the provisional accession of Switzerland (Fifth Supplement, page 44), it was envisaged that the procedures for provisional accession would have been implemented prior to the Thirteenth Session. In the event, it has not yet been possible for the tariff negotiations to be completed. In view of this delay and in view of the importance of various questions on the Agenda for the Thirteenth Session, the CONTRACTING PARTIES may wish to consider inviting the Government of Switzerland to take part in the work of the Session. To facilitate consideration of this question the following draft decision is submitted:

Draft Decision

Considering that:

(a) the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade, having received a request from the Government of Switzerland for an opportunity to enter into tariff negotiations with a view to provisional accession to the General Agreement, adopted on 17 November 1956 arrangements and procedures for the conduct of such negotiations and for the provisional accession of Switzerland;

(b) in adopting these arrangements and procedures, the CONTRACTING PARTIES assumed that Switzerland would have been in a position to participate in the work of the Thirteenth Session;

(c) the tariff negotiations between contracting parties and Switzerland which began in May 1958 are progressing satisfactorily, but the participating governments have not found it possible to complete them in time for the provisional accession of Switzerland to take place at the Thirteenth Session; and
Considering further that, since the CONTRACTING PARTIES during the Thirteenth Session will discuss matters of great importance to the future operation of the General Agreement and therefore to Switzerland's future trade relations with the contracting parties, it is desirable that the Government of Switzerland should participate in the Session;

The CONTRACTING PARTIES

Decide to invite the Government of Switzerland to take part in the work of the Thirteenth Session of the CONTRACTING PARTIES.

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If the CONTRACTING PARTIES adopt a decision on the lines of the foregoing draft they may wish to place the following understandings on record:

1. In view of the wording of the provisions of Articles XXV and XXXII, it is not possible, from a strictly legal point of view, to give full voting rights to Switzerland. However, in the normal course of business this is not very important since the CONTRACTING PARTIES do not usually proceed to a formal vote in reaching decisions; generally, the Chairman takes the sense of the meeting and Switzerland would have the same opportunity as contracting parties to express its opinion. (See the precedent for this understanding in the case of Japan: BISD, Second Supplement, page 118.)

2. This decision does not involve any obligations on the part of either Switzerland or the contracting parties regarding their trading relations and does not affect the arrangements and procedures adopted by the CONTRACTING PARTIES on 17 November 1956 for the provisional accession of Switzerland.