PARTICIPATION OF SWITZERLAND IN THE THIRTEENTH SESSION

OF THE CONTRACTING PARTIES

Recommendation by the Intersessional Committee

The Intersessional Committee at its meeting of 15 October 1958 agreed to recommend to the CONTRACTING PARTIES the adoption of the following decision at the opening of the Thirteenth Session:

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 and are expected to be concluded in the very near future, 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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Further the Committee recommends that if the CONTRACTING PARTIES adopt the foregoing decision the following understandings should be placed 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.