The Trade Negotiations Committee held its thirty-ninth meeting at Ministerial level, under the Chairmanship of Mr. Sergio Abreu Bonilla, Minister of Foreign Affairs of Uruguay.

Opening session of the Ministerial meeting, 12 April 1994 at 10 a.m.

The Chairman called the meeting to order, and introduced H.R.H. Sidi Mohammed, Crown Prince of Morocco, who delivered an address (MTN.TNC/MIN(94)/5).

Following the address, the Chairman declared the opening session of the Ministerial meeting closed and, with the Director-General and the Minister of State for Foreign Affairs and Cooperation of Morocco, Mr. Abdellatif Filali, accompanied the Crown Prince as he left the building.

First session of the Trade Negotiations Committee (TNC) meeting, 12 April 1994 at 10.30 a.m.

Chairman: Mr. Sergio Abreu Bonilla (Uruguay)

The Chairman declared the meeting of the TNC open, and delivered an opening address (MTN.TNC/MIN(94)/3).

The following agenda was adopted:

1. Report on the work of the TNC at official level since 15 December 1993;
2. General statements;
3. Action by Ministers.

Report on the work of the TNC at official level since 15 December 1993

The Chairman called on the Director-General, Chairman of the TNC at official level, to report on the activities of the Committee since 15 December 1993, and in particular on the texts approved by the Committee for adoption by Ministers at Marrakesh.

The Director-General said that since the Uruguay Round negotiations had been successfully concluded on 15 December 1993, the Committee's work had focused on the preparations for the present
meeting. These preparations had included two particularly important facets of work: first, the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations had been legally rectified, agreed, and circulated to all participants; and second, the schedules of market-access commitments in goods and services and the MFN exemption lists in services had been multilaterally verified for attachment to the Marrakesh Protocol. For a few participants whose individual cases and situations were clearly identified, procedures now existed for dealing with their draft market-access schedules separately. The Final Act, thus rectified and completed by the verified schedules, had been approved by the TNC at official level, and would be submitted for signature by Ministers.

Simultaneously, the TNC at official level had also approved for adoption by Ministers the following texts:

- Decision on Acceptance of and Accession to the Agreement Establishing the World Trade Organization;
- Decision on the Establishment of the Preparatory Committee for the World Trade Organization;
- Decision on the Organizational and Financial Consequences Flowing from Implementation of the Agreement Establishing the World Trade Organization;
- Decision on Trade and the Environment; and
- Marrakesh Declaration.

These texts had been circulated as documents MTN.TNC/MIN(94)/1/Rev.1 and MTN.TNC/MIN(94)/2. He proposed that Ministers adopt the above-mentioned decisions on the afternoon of Thursday, 14 April, and the Marrakesh Declaration on the morning of Friday, 15 April. All participants present were expected to sign the Final Act on the afternoon of the same day. Participants in a position to do so were also invited to sign the Agreement Establishing the World Trade Organization. Those Ministers whose governments had decided to sign all or any of the four plurilateral instruments also being submitted for signature at Marrakesh, namely, the Agreement on Government Procurement, the Agreements on Dairy and Bovine Meat, and the 1979 Agreement on Trade in Civil Aircraft, would be able to do so on the afternoon of Friday, 15 April at the same time as the signature of the Final Act and WTO Agreement.

The signature ceremony would be a just cause for celebration not only because it represented signing-off on the Uruguay Round, but also because it would be a signing-on to the work of putting the results into effect and ensuring that their potential was used to the fullest. Summing up the achievement of the Uruguay Round in one word he said it was an "opportunity". The agreements Ministers would sign later in the week meant opportunities to expand trade, economic growth and employment, opportunities to promote sustainable development, and they also meant the most significant opportunity one had had for fifty years, to build a new basis for global economic co-operation.

— General statements

The following statements were made:

**URUGUAY**
Mr. Sergio Abreu Bonilla, Minister for Foreign Affairs

**CANADA**
The Hon. Roy MacLaren, Minister for International Trade

**COMMISSION OF THE EUROPEAN COMMUNITIES**
Sir Leon Brittan, European Commissioner

MTN.TNC/MIN(94)/ST/1

MTN.TNC/MIN(94)/ST/2

MTN.TNC/MIN(94)/ST/3
COUNCIL OF THE EUROPEAN COMMUNITIES

H.E. Mr. Theodoros Pangalos,
Deputy Minister for Foreign Affairs of Greece on behalf of the Presidency of the Council

BELGIUM

Mr. Robert Urbain,
Minister of Foreign Trade and European Affairs

FRANCE

Mr. Gérard Longuet,
Minister of Industry, Posts and Telecommunications and Trade

BANGLADESH

H.E. Mr. M. Shamsul Islam,
Minister for Commerce, speaking for the least-developed countries

EGYPT

H.E. Mr. Mahmoud Mohamed Mahmoud,
Minister of Economy and Foreign Trade

HONG KONG

Mr. Chau Tak Hay,
Secretary for Trade and Industry

HUNGARY

Dr. Béla Kádár,
Minister of International Economic Relations

NEW ZEALAND

The Hon. Philip Burdon,
Minister for Trade Negotiations

BAHRAIN

H.E. Mr. Habib A. Kassim,
Minister of Commerce and Agriculture

GREECE

Mr. Georges Kandalepas,
General Secretary for External Trade

The session adjourned at 12.45 p.m.

Second session of the TNC meeting, 12 April 1994 at 3 p.m.

Chairman: The Hon. Roy MacLaren (Canada)
(for the first sixteen statements)

Mr. Peter D. Sutherland (Director-General)
(for the remaining statements)

— General statements (continued)

The following statements were made:

POLAND

Mr. Andrzej Byrt,
Under-Secretary of State

THAILAND

A.E. Dr. Supachai Panitchpakdi,
Deputy Prime-Minister
MEXICO
Mr. Jaime Serra Puche,
Secretary for Trade and Industrial Development
MTN.TNC/MIN(94)/ST/16

INDONESIA
H.E. Mr. S.B. Joedono,
Minister of Trade
MTN.TNC/MIN(94)/ST/17

UGANDA
The Hon. Richard H. Kajumba,
Ministry of Trade and Industry
MTN.TNC/MIN(94)/ST/18

KOREA
Mr. Kim Chulsu,
Minister of Trade, Industry and Energy
MTN.TNC/MIN(94)/ST/19

TUNISIA
Mr. Habib Ben Yahia,
Minister for Foreign Affairs
MTN.TNC/MIN(94)/ST/20

UNITED ARAB EMIRATES
H.E. Mr. Saeed Ahmed Ghobash,
Minister of Economy and Commerce
MTN.TNC/MIN(94)/ST/21

UNITED NATIONS (Observer)
Mr. Carlos Fortin,
Officer-in-Charge of UNCTAD,
Representing the Secretary-General of the United Nations
MTN.TNC/MIN(94)/ST/26

GABON
H.E. Mr. Patrice Nziengui,
Minister of Trade, Industry and Scientific Research
MTN.TNC/MIN(94)/ST/22

INTERNATIONAL MONETARY FUND (Observer)
Mrs. Helen B. Junz,
Special Trade Representative and Director of the office in Geneva
MTN.TNC/MIN(94)/ST/27

LATVIA (Observer)
Mr. Olgerts Pavlovskis,
State Minister of Foreign Trade and European Union Affairs
MTN.TNC/MIN(94)/ST/28

KUWAIT
H.E. Dr. Waleed Al-Wuhaib,
Under-Secretary of Commerce and Industry
MTN.TNC/MIN(94)/ST/23

MAURITIUS
The Hon. Anil Kumar Bachoo,
Minister of Trade and Shipping
MTN.TNC/MIN(94)/ST/24/Rev.1

CHINESE TAIPEI (Observer)
Mr. P.K. Chiang,
Minister for Economic Affairs
MTN.TNC/MIN(94)/ST/29

SLOVENIA (Observer)
Dr. Davori Kračun,
Minister for Economic Relations and Development
MTN.TNC/MIN(94)/ST/30

UKRAINE (Observer)
Mr. Oleg I. Slepichev,
Minister for Foreign Economic Relations and Corr.1
MTN.TNC/MIN(94)/ST/31

MAURITANIA
Mr. Ould Cheikh Melainine Chebih,
Minister of Trade, Handicrafts and Tourism
MTN.TNC/MIN(94)/ST/25/Rev.1
The session adjourned at 5.30 p.m.

Third session of the TNC meeting, 13 April 1994 at 9.30 a.m.

Chairman: Mr. Sergio Abreu Bonilla (Uruguay)
(for the first eight statements)
H.E. Brigadier-General D.O. Abel (Myanmar)
(for the remaining statements)

General statements (continued)

The following statements were made:

NIGERIA
Chief Melford Okilo,
Minister of Commerce and Tourism

ZAMBIA
The Hon. D. Patel,
Minister of Commerce, Trade and Industry

JAMAICA
The Hon. Paul Robertson,
Minister of Foreign Affairs and Foreign Trade

MOROCCO
Mr. Mourad Cherif,
Minister of Foreign Trade, Foreign Investment and Handicrafts

INDIA
Mr. Pranab Mukherjee,
Minister of Commerce

BRUNEI
H.E. Mr. Pehin Dato Abdul Rahman Taib,
Minister of Industry and Primary Resources

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2Written statement only.

3Idem.
Dato' Seri Rafidah Aziz, Minister of International Trade and Industry

Mr. Gu Yongjiang, Vice-Minister for Foreign Trade and Economic Cooperation

H.E. Mr. Mihai Berinde, Secretary of State for Foreign Trade

H.E. Mr. Rizalino S. Navarro, Secretary of Trade and Industry

Micha Harish, Minister of Industry and Trade

Mr. Vitor Rodrigues Pessoa, Secretary for Economic and Financial Affairs

The Hon. Mrs. Emma Mitchell, Minister for Trade and Industry

H.E. Mr. Eduardo Belli Pereira, Vice-Minister for Economy and Development

Mr. YEO Cheow Tong, Minister for Trade and Industry

Mr. Peter Nagvasi, Minister of Economy

H.E. Mr. Mustapha Mokroui, Ministerial Delegate for Trade

Mr. Moustapha Niasse, Ministry of Foreign Affairs and Senegalese Resident Abroad

The session adjourned at 12.15 p.m.

Fourth session of the TNC meeting, 13 April 1994 at 2.30 p.m.

Chairman: Mr. Peter D. Sutherland (Director-General)
(for the first two statements)

H.E. Dr. Béla Kádár (Hungary)
(for the next eight statements)

Mr. Mourad Cherif (Morocco)
(for the remaining statements)

— General statements (continued)
The following statements were made:

IRELAND  Mr. Charles McCreevy,  MTN.TNC/MIN(94)/ST/52
           Minister for Tourism and Trade

SRI LANKA The Hon. A.R. Munsoor,  MTN.TNC/MIN(94)/ST/53
           Minister of Trade and Commerce

CUBA  H.E. Mr. Ricardo Cabrisas Ruiz,  MTN.TNC/MIN(94)/ST/54
           Minister for Foreign Trade

MALTA  Professor Guido de Marco,  MTN.TNC/MIN(94)/ST/55
           Deputy Prime-Minister and Minister for Foreign Affairs

DOMINICAN REPUBLIC  Mr. Miguel Sang Ben,  MTN.TNC/MIN(94)/ST/56
            Technical Secretary of the Presidency

VENEZUELA  Mr. P. Alberto Poletto,  MTN.TNC/MIN(94)/ST/57
            Minister of Foreign Trade

CAMEROON  H.E. Mr. François-Xavier Ngoubeyou,  MTN.TNC/MIN(94)/ST/58
            Ambassador, Permanent Representative to the United Nations Office at Geneva

TANZANIA  The Hon. C.D. Msuya,  MTN.TNC/MIN(94)/ST/59
            Minister for Industries and Trade

BOLIVIA  Dr. Mario Reyes Chavez,  MTN.TNC/MIN(94)/ST/60
            National Secretary for International Economic Relations

MADAGASCAR  H.E. Mr. Jacques Sylla,  MTN.TNC/MIN(94)/ST/61
            Minister for Foreign Affairs

KENYA  The Hon. Dirugi L. M'Mukindia,  MTN.TNC/MIN(94)/ST/62
            Minister for Commerce and Industry

MYANMAR  H.E. Brig-Gen D.O. Abel,  MTN.TNC/MIN(94)/ST/63
            Minister for National Planning and Economic Development

BARBADOS  The Hon. Warwick Orlando Franklin,  MTN.TNC/MIN(94)/ST/64
            Minister of Trade, Industry and Commerce

COTE D’IVOIRE  H.E. Mr. Amara Essy,  MTN.TNC/MIN(94)/ST/65
            Minister for Foreign Affairs

WORLD BANK (Observer)  Mr. Atilla Karaosmanoglu,  MTN.TNC/MIN(94)/ST/66
            Managing Director

CROATIA (Observer)  H.E. Dr. Miomir Zuzul,  MTN.TNC/MIN(94)/ST/67
            Ambassador, Permanent Representative to the United Nations Office at Geneva

PANAMA (Observer)  H.E. Mr. Harmodio Arias III,  MTN.TNC/MIN(94)/ST/68
            Vice-Minister of Trade and Industry
Fifth session of the TNC meeting, 14 April 1994 at 9.30 a.m.

Chairman: Mr. KIM Chulsu (Korea)
(for the first eleven statements)

Mr. Sergio Abreu Bonilla (Uruguay)
(for the remaining statements)

— General statements (continued)

The following statements were made:

**TURKEY**
H.E. Mr. Yener Dinçmen,
Under-Secretary for Customs

**PERU**
Mr. Efraín Goldenberg,
President of the Council of Ministers and
Minister of Foreign Affairs

**ITALY**
Mr. Paolo Baratta,
Minister of Foreign Trade

**UNITED KINGDOM**
The Rt. Hon. Timothy Sainsbury,
Minister of State for Trade and Industry

**SWITZERLAND**
Mr. J.-P. Delamuraz,
Federal Councillor,
Minister of Public Economy

**LIECHTENSTEIN**
H.E. Mrs. Andrea Willi,
Minister for Foreign Affairs

**SPAIN**
H.E. Mr. Apolinio Ruiz Ligero,
Secretary of State for Foreign Trade

**LUXEMBOURG**
H.E. Mr. Georges Wohlfart,
Secretary of State for Foreign Affairs,
Foreign Trade and Cooperation

**ZIMBABWE**
Dr. H. Murerwa,
Minister of Industry and Commerce

**HONDURAS**
H.E. Mr. Delmer Urbizo Panting,
Minister of the Economy and Trade

**EL SALVADOR**
H.E. Mr. Miguel Angel Salaverría,
Minister for Foreign Affairs
### Sixth session of the TNC meeting, 14 April 1994 at 2.30 p.m.

**Chairman:** Mr. Peter D. Sutherland (Director-General)  
(for the first fifteen statements)  
Mr. Sergio Abreu Bonilla (Uruguay)  
(for the remaining statements)

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#### General statements (continued)

The following statements were made:

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<tr>
<th>Country</th>
<th>Name and Position</th>
<th>Document Reference</th>
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</thead>
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<tr>
<td><strong>COLOMBIA</strong></td>
<td>Dr. Juan Manuel Santos, Vice-President, Minister of Foreign Trade</td>
<td>MTN.TNC/MIN(94)/ST/83</td>
</tr>
<tr>
<td><strong>NETHERLANDS</strong></td>
<td>Mrs. Yvonne Van Rooy, Minister of Foreign Trade</td>
<td>MTN.TNC/MIN(94)/ST/87</td>
</tr>
<tr>
<td><strong>FINLAND</strong></td>
<td>Mr. Pertti Salolainen, Minister for Foreign Trade</td>
<td>MTN.TNC/MIN(94)/ST/88</td>
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<tr>
<td><strong>AUSTRALIA</strong></td>
<td>The Hon. Bob McMullan, Minister for Trade</td>
<td>MTN.TNC/MIN(94)/ST/89</td>
</tr>
<tr>
<td><strong>SWEDEN</strong></td>
<td>H.E. Mr. Ulf Dinkelspiel, Minister for European Affairs and Foreign Trade</td>
<td>MTN.TNC/MIN(94)/ST/90</td>
</tr>
<tr>
<td><strong>CZECH REPUBLIC</strong></td>
<td>H.E. Vladimír Dlouhý, Minister of Industry and Trade</td>
<td>MTN.TNC/MIN(94)/ST/91</td>
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<td><strong>PAKISTAN</strong></td>
<td>H.E. Mr. Chaudhry Ahmad Mukhtar, Minister for Commerce</td>
<td>MTN.TNC/MIN(94)/ST/81/Rev.1</td>
</tr>
<tr>
<td><strong>ICELAND</strong></td>
<td>H.E. Mr. Jón Baldvin Hannibalsson, Minister for Foreign Affairs and External Trade</td>
<td>MTN.TNC/MIN(94)/ST/82</td>
</tr>
<tr>
<td><strong>PARAGUAY</strong></td>
<td>H.E. Mr. Luis Maria Ramirez-Boettner, Minister for Foreign Affairs</td>
<td>MTN.TNC/MIN(94)/ST/84</td>
</tr>
<tr>
<td><strong>RUSSIAN FEDERATION</strong></td>
<td>Mr. Oleg D. Davydov, Minister of External Economic Relations (Observer)</td>
<td>MTN.TNC/MIN(94)/ST/85</td>
</tr>
<tr>
<td><strong>ACP GROUP</strong></td>
<td>The Hon. P.H.K. Kedikilwe, Minister for Commerce and Consumer Affairs of Botswana, and Spokesman for the ACP Countries Participating in the Ministerial Meeting</td>
<td>MTN.TNC/MIN(94)/ST/86</td>
</tr>
</tbody>
</table>

The session **adjourned** at 12 noon.
CHILE  Mr. Carlos Figueroa Serrano,  Minister for Foreign Affairs  MTN.TNC/MIN(94)/ST/92
AUSTRIA  H.E. Mr. Wolfgang Schüssel,  Federal Minister for Economic Affairs  MTN.TNC/MIN(94)/ST/93
DENMARK  H.E. Mr. Niels Helveg Petersen,  Minister for Foreign Affairs  MTN.TNC/MIN(94)/ST/95
ARGENTINA  Mr. Guido Di Tella,  Minister for Foreign Affairs, International Trade and Religion  MTN.TNC/MIN(94)/ST/94
COSTA RICA  Mr. Roberto Rojas,  Minister for Economy and Trade  MTN.TNC/MIN(94)/ST/96
NORWAY  Mrs. Grete Knudsen,  Minister of Trade and Shipping  MTN.TNC/MIN(94)/ST/97
GUATEMALA  Mrs Marithza Ruiz de Vielman,  Minister for Foreign Affairs  MTN.TNC/MIN(94)/ST/98
SOUTH AFRICA  Mr. Derek Keys,  Minister of Finance, Trade and Industry  MTN.TNC/MIN(94)/ST/99
JAPAN  Mr. Tsutomu Hata,  Deputy Prime-Minister and Minister for Foreign Affairs  MTN.TNC/MIN(94)/ST/100
BRAZIL  H.E. Mr. Celso Amorim,  Minister of External Relations  MTN.TNC/MIN(94)/ST/101
GERMANY  Mr. Günter Rexrodt,  Federal Minister for the Economy  MTN.TNC/MIN(94)/ST/102
PORTUGAL  H.E. Mr. José Manuel Durão Barroso,  Minister for Foreign Affairs  MTN.TNC/MIN(94)/ST/103
GUINEA-BISSAU  Mr. Ansumane Mane,  Minister of Trade and Industry  MTN.TNC/MIN(94)/ST/104
SAINT LUCIA  H.E. Mr. Edwin Laurent,  Ambassador, Permanent Representative to GATT  MTN.TNC/MIN(94)/ST/105
INTERNATIONAL LABOUR OFFICE  Mr. Francis Naupain,  Legal Adviser  MTN.TNC/MIN(94)/ST/106

4Idem.
5Idem.
6Idem.
The Committee adopted the following Decisions:

- Decision on Acceptance of and Accession to the Agreement Establishing the World Trade Organization (Annex I);
- Decision on Trade and the Environment (Annex II);
- Decision on the Organizational and Financial Consequences Flowing from Implementation of the Agreement Establishing the World Trade Organization (Annex III); and

The session adjourned at 5.15 p.m.

Closing session of the TNC meeting, 15 April 1994 at 10 a.m.

Chairman: Mr. Sergio Abreu Bonilla (Uruguay)

The Committee adopted the Marrakesh Ministerial Declaration (Annex V).

The Committee noted that the following instruments resulting from the Uruguay Round negotiations would be submitted for signature by representatives of Governments members of the Committee:

- the Final Act embodying the results of the Uruguay Round of Multilateral Trade Negotiations; and
- the Agreement Establishing the World Trade Organization.

The Committee further noted that the following plurilateral instruments, which formed part of the Uruguay Round package, would also be submitted for signature:

- the Agreement on Government Procurement;
- the International Dairy Agreement;
- the International Bovine Meat Agreement; and

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7Idem.

8On the evening of the same day, the Vice-President of the United States, Mr. Al Gore, addressed the Ministers.
The Committee also noted that a signature ceremony was to be held in the Salle Royale of the Palais des Congrès, beginning at 1.30 p.m.

The Chairman, in concluding remarks, highlighted some themes and suggestions that had been put forward by participants during the course of the meeting. Overall, all had successfully carried out the basic objectives of the mandate agreed at Punta del Este in 1986. Notwithstanding the tumultuous economic and political events of the past seven and a half years, all participants in the negotiations had undertaken considerable efforts to improve conditions of market access. Thus, the targets agreed in Montreal had been attained and important obligations had been undertaken in relation to the binding of tariffs. Noteworthy, too, had been the engagement of the developing and least-developed countries in the process of contributing their share to the global effort to reduce trade barriers. As a result, the implementation of the Uruguay Round results would lead to more stable, secure and predictable conditions for trade based upon open markets and strengthened rules of competition in the world economy.

The new rules contained in 28 multilateral agreements dealt with sectors as diverse as agriculture, textiles and clothing, subsidies, anti-dumping, safeguards, trade-related investment measures, and the Dispute Settlement Understanding. They provided an assurance of equitable conditions of market access to all participants. The new General Agreement on Trade in Services and the associated package of initial commitments added a new dimension to the multilateral trading system, while the Agreement on Trade-Related Aspects of Intellectual Property Rights represented a significant broadening of the rules of the system.

The Trade Policy Review Mechanism would enable the regular evaluation of governments' policies and their impact on the functioning of the multilateral trading system.

A further major theme of the debate at this meeting had been the rôle that multilateral cooperation should play as the foundation for trade relations amongst nations. It was in order to implement this principle on a permanent basis that all had agreed that the results of the negotiations constituted a single undertaking, based on the World Trade Organization as a new international institution. To that end, it had been decided to establish a Preparatory Committee with the aim of ensuring that the new organization would begin to function on 1 January 1995. All had pledged to submit the agreements adopted for formal approval in accordance with their respective constitutional procedures.

In the statements made in the course of this meeting, Ministers representing a number of participating delegations had stressed the importance they attached to their requests for an examination of: the relationship between the trading system and internationally recognized labour standards; the relationship between immigration policies and international trade; trade and competition policy, including rules on export financing and restrictive business practices; trade and investment; regionalism; the interaction between trade policies and policies relating to financial and monetary matters, including debt, and commodity markets; international trade and company law; the establishment of a mechanism for compensation for the erosion of preferences; the link between trade, development, political stability and the alleviation of poverty; and unilateral or extraterritorial trade measures.

He noted that in taking the Decision on the Establishment of the Preparatory Committee, it had been agreed — in paragraph 8(c)(iii) of the Decision — that a function of the Preparatory Committee would be to discuss suggestions for the inclusion of additional items in the agenda of the WTO's work programme. It was understood, therefore, that these suggestions would be taken up by the Preparatory Committee pursuant to paragraph 8(c)(iii) of the above-mentioned Decision.

9The full text of the Chairman's concluding remarks was circulated as MTN.TNC/MIN(94)/6.
The Decisions taken by Ministers at this meeting also provided for the convening of an Implementation Conference later in the year. Since the sole purpose of the implementation Conference would be to decide formally on the date of the entry into force of the WTO Agreement, it seemed appropriate that this meeting take place at the level of senior officials. Thus, the next occasion for Ministers to meet would normally be the first Ministerial Conference of the World Trade Organization, scheduled to take place within two years of the entry into force of the WTO Agreement. In this context, he was sure all had taken note of Singapore’s kind offer to host the event.

He wished to draw attention to the fact that the market-access schedules in goods of some participants which were either least-developed countries or countries which had become contracting parties under Article XXXVI:5(c) of the GATT 1947 had been attached to the Marrakesh Protocol on the understanding that the status of these schedules would remain provisional until they had been duly verified. This was in addition to the schedules of participants to which paragraph 5 of the Final Act applied which had been also attached to the Marrakesh Protocol on a provisional basis. In all these cases, the procedures for the examination and approval of the schedules of the participants concerned were provided for in the Decision on the Acceptance of and Accession to the WTO Agreement.

The conclusion of the Uruguay Round had resulted in a politico-legal reality and a message: a reality which incorporated new forms of relations and concrete results of the negotiations in international trade, and a message of hope and confidence which, thanks to the hospitality of the Government of Morocco, Ministers participating in this Ministerial meeting were sending to the world in their joint resolve to contribute through better, equitable, just and free trade relations to building a more prosperous future for all of mankind.

The Ministerial meeting closed at 10.45 a.m.\(^\text{10}\)

\(^{10}\)A formal closing ceremony was held at the Royal Palace, in the presence of H.M. King Hassan II, at 6.30 p.m.
ANNEX I

Acceptance of and Accession to the Agreement Establishing the World Trade Organization

Decision of 14 April 1994

Ministers,

Noting that Articles XI and XIV of the Agreement Establishing the World Trade Organization (hereinafter referred to as "WTO Agreement") provide that only contracting parties to the GATT 1947 as of the entry into force of the WTO Agreement for which schedules of concessions and commitments are annexed to GATT 1994 and for which schedules of specific commitments are annexed to the General Agreement on Trade in Services (hereinafter referred to as "GATS") may accept the WTO Agreement;

Noting further that paragraph 5 of the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations (hereinafter referred to as "Final Act" and "Uruguay Round" respectively) provides that the schedules of participants which are not contracting parties to GATT 1947 as of the date of the Final Act are not definitive and shall be subsequently completed for the purpose of their accession to GATT 1947 and their acceptance of the WTO Agreement;

Having regard to paragraph 1 of the Decision on Measures in Favour of Least-Developed Countries which provides that the least-developed countries shall be given an additional time of one year from 15 April 1994 to submit their schedules as required in Article XI of the WTO Agreement;

Recognizing that certain participants in the Uruguay Round which had applied GATT 1947 on a de facto basis and became contracting parties under Article XXVI:5(c) of the GATT 1947 were not in a position to submit schedules to GATT 1994 and the GATS;

Recognizing further that some States or separate customs territories which were not participants in the Uruguay Round may become contracting parties to GATT 1947 before the entry into force of the WTO Agreement and that States or customs territories should be given the opportunity to negotiate schedules to GATT 1994 and the GATS so as to enable them to accept the WTO Agreement;

Taking into account that some States or separate customs territories which cannot complete the process of accession to GATT 1947 before the entry into force of the WTO Agreement or which do not intend to become contracting parties to GATT 1947 may wish to initiate the process of their accession to the WTO before the entry into force of the WTO Agreement;

Recognizing that the WTO Agreement does not distinguish in any way between WTO Members which accepted that Agreement in accordance with its Articles XI and XIV and WTO Members which acceded to it in accordance with its Article XII and wishing to ensure that the procedures for accession of the States and separate customs territories which have not become contracting parties to the GATT 1947 as of the date of entry into force of the WTO Agreement are such as to avoid any unnecessary disadvantage or delay for these States and separate customs territories;

Decide that:

1. (a) Any Signatory of the Final Act
- to which paragraph 5 of the Final Act applies, or
- to which paragraph 1 of the Decision on Measures in Favour of Least-Developed Countries applies, or
- which became a contracting party under Article XXVI:5(c) of the GATT 1947 before 15 April 1994 and was not in a position to establish a schedule to GATT 1994 and the GATS for inclusion in the Final Act, and

any State or separate customs territory

- which becomes a contracting party to the GATT 1947 between 15 April 1994 and the date of entry into force of the WTO Agreement

may submit to the Preparatory Committee for its examination and approval a schedule of concessions and commitments to GATT 1994 and a schedule of specific commitments to the GATS.

(b) The WTO Agreement shall be open for acceptance in accordance with Article XIV of that Agreement by contracting parties to GATT 1947 the schedules of which have been so submitted and approved before the entry into force of the WTO Agreement.

(c) The provisions of subparagraphs (a) and (b) of this paragraph shall be without prejudice to the right of the least-developed countries to submit their schedules within one year from 15 April 1994.

2. (a) Any State or separate customs territory may request the Preparatory Committee to propose for approval by the Ministerial Conference of the WTO the terms of its accession to the WTO Agreement in accordance with Article XII of that Agreement. If such a request is made by a State or separate customs territory which is in the process of acceding to GATT 1947, the Preparatory Committee shall, to the extent practicable, examine the request jointly with the Working Party established by the CONTRACTING PARTIES to GATT 1947 to examine the accession of that State or separate customs territory.

(b) The Preparatory Committee shall submit to the Ministerial Conference a report on its examination of the request. The report may include a protocol of accession, including a schedule of concessions and commitments to GATT 1994 and a schedule of specific commitments for the GATS, for approval by the Ministerial Conference. The report of the Preparatory Committee shall be taken into account by the Ministerial Conference in its consideration of any application by the State or separate customs territory concerned to accede to the WTO Agreement.
Ministers, meeting on the occasion of signing the Final Act embodying the results of the Uruguay Round of Multilateral Trade Negotiations at Marrakesh on 15 April 1994,

Recalling the preamble of the Agreement establishing the World Trade Organization (WTO), which states that members' "relations in the field of trade and economic endeavour should be conducted with a view to raising standards of living, ensuring full employment and a large and steadily growing volume of real income and effective demand, and expanding the production of and trade in goods and services, while allowing for the optimal use of the world's resources in accordance with the objective of sustainable development, seeking both to protect and preserve the environment and to enhance the means for doing so in a manner consistent with their respective needs and concerns at different levels of economic development,"

Noting:

— the Rio Declaration on Environment and Development, Agenda 21, and its follow-up in GATT, as reflected in the statement of the Chairman of the Council of Representatives to the CONTRACTING PARTIES at their 48th Session in December 1992, as well as the work of the Group on Environmental Measures and International Trade, the Committee on Trade and Development, and the Council of Representatives;

— the work programme envisaged in the Decision on Trade in Services and the Environment; and

— the relevant provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights,

Considering that there should not be, nor need be, any policy contradiction between upholding and safeguarding an open, non-discriminatory and equitable multilateral trading system on the one hand, and acting for the protection of the environment, and the promotion of sustainable development on the other,

Desiring to coordinate the policies in the field of trade and environment, and this without exceeding the competence of the multilateral trading system, which is limited to trade policies and those trade-related aspects of environmental policies which may result in significant trade effects for its members,

Decide:

— to direct the first meeting of the General Council of the WTO to establish a Committee on Trade and Environment open to all members of the WTO to report to the first biennial meeting of the Ministerial Conference after the entry into force of the WTO when the work and terms of reference of the Committee will be reviewed, in the light of recommendations of the Committee,
— that the TNC Decision of 15 December 1993 which reads, in part, as follows:

"(a) to identify the relationship between trade measures and environmental measures, in order to promote sustainable development;

(b) to make appropriate recommendations on whether any modifications of the provisions of the multilateral trading system are required, compatible with the open, equitable and non-discriminatory nature of the system, as regards, in particular:

— the need for rules to enhance positive interaction between trade and environmental measures, for the promotion of sustainable development, with special consideration to the needs of developing countries, in particular those of the least developed among them; and

— the avoidance of protectionist trade measures, and the adherence to effective multilateral disciplines to ensure responsiveness of the multilateral trading system to environmental objectives set forth in Agenda 21 and the Rio Declaration, in particular Principle 12; and

— surveillance of trade measures used for environmental purposes, of trade-related aspects of environmental measures which have significant trade effects, and of effective implementation of the multilateral disciplines governing those measures;"

constitutes, along with the preambular language above, the terms of reference of the Committee on Trade and Environment,

— that, within these terms of reference, and with the aim of making international trade and environmental policies mutually supportive, the Committee will initially address the following matters, in relation to which any relevant issue may be raised:

— the relationship between the provisions of the multilateral trading system and trade measures for environmental purposes, including those pursuant to multilateral environmental agreements;

— the relationship between environmental policies relevant to trade and environmental measures with significant trade effects and the provisions of the multilateral trading system;

— the relationship between the provisions of the multilateral trading system and:

(a) charges and taxes for environmental purposes

(b) requirements for environmental purposes relating to products, including standards and technical regulations, packaging, labelling and recycling;

— the provisions of the multilateral trading system with respect to the transparency of trade measures used for environmental purposes and environmental measures and requirements which have significant trade effects;

— the relationship between the dispute settlement mechanisms in the multilateral trading system and those found in multilateral environmental agreements;
— the effect of environmental measures on market access, especially in relation to developing countries, in particular to the least developed among them, and environmental benefits of removing trade restrictions and distortions;

— the issue of exports of domestically prohibited goods,

— that the Committee on Trade and Environment will consider the work programme envisaged in the Decision on Trade in Services and the Environment and the relevant provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights as an integral part of its work, within the above terms of reference,

— that, pending the first meeting of the General Council of the WTO, the work of the Committee on Trade and Environment should be carried out by a Sub-Committee of the Preparatory Committee of the World Trade Organization (PCWTO), open to all members of the PCWTO,

— to invite the Sub-Committee of the Preparatory Committee, and the Committee on Trade and Environment when it is established, to provide input to the relevant bodies in respect of appropriate arrangements for relations with inter-governmental and non-governmental organizations referred to in Article V of the WTO.
ANNEX III

Organizational and Financial Consequences flowing from Implementation of the Agreement Establishing the World Trade Organization

Decision of 14 April 1994

Ministers,

Recognizing the importance of the rôle and contribution to international trade of the World Trade Organization (hereinafter referred to as the WTO),

Desiring to ensure the efficient functioning of the WTO Secretariat,

Recognizing that implementation of the results of the Uruguay Round will expand the scope and complexity of the duties of the Secretariat and that the resource implications thereof need to be studied,

Recalling the statements made by previous Chairmen of the GATT CONTRACTING PARTIES and the GATT Council drawing attention to the need to improve the terms and conditions of service, including salaries and pensions, for the professional staff of the Secretariat,

Mindful of the need for the WTO to be competitive in the conditions of service it will offer to its professional staff so as to attract the required expertise,

Noting the proposal of the Director-General that, in setting WTO staff conditions of services, including salaries and pensions, due account be taken of those of the International Monetary Fund and the World Bank,

Noting Article VI of the Agreement establishing the WTO, in particular paragraph 3 thereof empowering the Director-General to appoint the staff of the Secretariat to determine their duties and conditions of service in accordance with regulations adopted by the Ministerial Conference,

Recalling that the mandate of the Preparatory Committee requires it to perform such functions as may be necessary to ensure the efficient operation of the WTO immediately as of the date of its establishment, including the preparation of recommendations for the consideration of the competent body of the WTO, or to the extent necessary, the taking of decisions or, as appropriate, provisional decisions with respect to administrative, budgetary and financial matters assisted by proposals from the Secretariat,

Hereby agree that the Preparatory Committee shall consider the organizational changes, resource requirements and staff conditions of service proposed in connection with the establishment of the WTO and the implementation of the Uruguay Round agreements and prepare recommendations and take decisions, to the extent necessary, on the adjustments required.
ANNEX IV

Decision on the Establishment of the Preparatory Committee for the World Trade Organization

Decision of 14 April 1994

Ministers,

Having regard to the Agreement Establishing the World Trade Organization (hereinafter referred to as "WTO Agreement" and "WTO"), and

Mindful of the desirability of ensuring an orderly transition to the WTO and the efficient operation of the WTO as of the date of entry into force,

hereby agree as follows:

1. A Preparatory Committee for the WTO (hereinafter referred to as "Committee") is hereby established. Mr. P.D. Sutherland in his personal capacity is appointed Chairman of the Committee.

2. The Committee shall be open for membership to all Signatories of the Final Act of the Uruguay Round of Multilateral Trade Negotiations and to any contracting party eligible to become an original member of the WTO in accordance with Article XI of the WTO Agreement.

3. A Sub-Committee on Budget, Finance and Administration, to be chaired by the Chairman of the GATT CONTRACTING PARTIES, and a Sub-Committee on Services responsible for preparatory work on GATS matters are also established. The Committee may establish additional sub-committees as appropriate. Membership of the Sub-Committees shall be open to all members of the Committee. The Committee shall establish its own procedures and those of its sub-committees.

4. The Committee will make all its decisions by consensus.

5. Only those members of the Committee that are GATT contracting parties eligible to become original Members of the WTO in accordance with Articles XI and XIV of the WTO Agreement may participate in the decision-making of the Committee.

6. The Committee and its sub-committees shall be serviced by the GATT Secretariat.

7. The Committee shall cease to exist upon the entry into force of the WTO Agreement, at which time it will forward its records and recommendations to the WTO.

8. The Committee shall perform such functions as may be necessary to ensure the efficient operation of the WTO immediately as of the date of its establishment, including the functions set out below:

(a) Administrative, budgetary and financial matters:

To prepare recommendations for the consideration of the competent body of the WTO, or, to the extent necessary, take decisions or, as appropriate, provisional decisions in advance of the establishment of the WTO, with respect to the recommendations submitted to it by the Chairman of the Sub-Committee on Budget, Finance and Administration referred to in
paragraph 3 above, in cooperation with the Chairman of the GATT Committee on Budget, Finance and Administration, assisted by proposals from the Secretariat on:

(i) the headquarters agreement provided for in Article VIII:5 of the WTO Agreement;

(ii) financial regulations, including guidelines for the assessment of WTO members' budget contributions, in accordance with the criteria set out in Article VII of the WTO Agreement;

(iii) the budget estimates for the first year of operation of the WTO;

(iv) the transfer of the property, including financial assets, of the ICITO/GATT to the WTO;

(v) the transfer and the terms and conditions of the transfer of the GATT staff to the WTO Secretariat; and

(vi) the relationship between the International Trade Centre and the WTO.

(b) **Institutional, procedural and legal matters:**

(i) To carry out the examination of and approve the schedules submitted to it in accordance with the "Decision on Acceptance of and Accession to the Agreement Establishing the World Trade Organization" and to propose terms of accession in accordance with paragraph 2 of that Decision;

(ii) To make proposals concerning terms of reference for the bodies of the WTO, in particular those established in Article IV of the WTO Agreement, and the rules of procedure which they are called upon to establish for themselves, bearing in mind paragraph 1 of Article XVI;

(iii) To make recommendations to the General Council of the WTO concerning the appropriate arrangements with respect to relations with other organizations referred to in Article V of the WTO Agreement; and

(iv) To prepare and submit a report on its activities to the WTO.

(c) **Matters related to the entry into force of the WTO Agreement and to the activities of the WTO within its scope and functions:**

(i) To convene and prepare the Implementation Conference;

(ii) To initiate the work programme arising from the Uruguay Round results as set out in the Final Act, such as overseeing, in the Sub-Committee on Services referred to in paragraph 3 above, negotiations in specific services sectors, and also to undertake work resulting from Decisions of the Marrakesh meeting;

(iii) To discuss suggestions for the inclusion of additional items on the agenda of the WTO's work programme;
(iv) To make proposals concerning the composition of the Textiles Monitoring Body in accordance with the criteria set out in Article 8 of the Agreement on Textiles and Clothing; and

(v) To convene the first meeting of the Ministerial Conference or the General Council of the WTO, whichever meets first, and to prepare the provisional agenda thereof.
ANNEX V

Marrakesh Declaration of 15 April 1994

Ministers,

Representing the 124 Governments and the European Communities participating in the Uruguay Round of Multilateral Trade Negotiations, on the occasion of the final session of the Trade Negotiations Committee at Ministerial level held at Marrakesh, Morocco from 12 to 15 April 1994,

Recalling the Ministerial Declaration adopted at Punta del Este, Uruguay on 20 September 1986 to launch the Uruguay Round of Multilateral Trade Negotiations,

Recalling the progress achieved at the Ministerial meetings held at Montreal, Canada and Brussels, Belgium in December of 1988 and 1990 respectively,

Noting that the negotiations were substantially concluded on 15 December 1993,

Determined to build upon the success of the Uruguay Round through the participation of their economies in the world trading system, based upon open, market-oriented policies and the commitments set out in the Uruguay Round Agreements and Decisions,

Have today adopted the following:

DECLARATION:

1. Ministers salute the historic achievement represented by the conclusion of the Round, which they believe will strengthen the world economy and lead to more trade, investment, employment and income growth throughout the world. In particular, they welcome:

   — the stronger and clearer legal framework they have adopted for the conduct of international trade, including a more effective and reliable dispute settlement mechanism,

   — the global reduction by 40 per cent of tariffs and wider market-opening agreements on goods, and the increased predictability and security represented by a major expansion in the scope of tariff commitments, and

   — the establishment of a multilateral framework of disciplines for trade in services and for the protection of trade-related intellectual property rights, as well as the reinforced multilateral trade provisions in agriculture and in textiles and clothing.

2. Ministers affirm that the establishment of the World Trade Organization (WTO) ushers in a new era of global economic cooperation, reflecting the widespread desire to operate in a fairer and more open multilateral trading system for the benefit and welfare of their peoples. Ministers express their determination to resist protectionist pressures of all kinds. They believe that the trade liberalization and strengthened rules achieved in the Uruguay Round will lead to a progressively more open world trading environment. Ministers undertake, with immediate effect and until the entry into force of the WTO, not to take any trade measures that would undermine or adversely affect the results of the Uruguay Round negotiations or their implementation.
3. Ministers confirm their resolution to strive for greater global coherence of policies in the fields of trade, money and finance, including cooperation between the WTO, the IMF and the World Bank for that purpose.

4. Ministers welcome the fact that participation in the Uruguay Round was considerably wider than in any previous multilateral trade negotiation and, in particular, that developing countries played a notably active rôle in it. This has marked a historic step towards a more balanced and integrated global trade partnership. Ministers note that during the period these negotiations were underway significant measures of economic reform and autonomous trade liberalization were implemented in many developing countries and formerly centrally planned economies.

5. Ministers recall that the results of the negotiations embody provisions conferring differential and more favourable treatment for developing economies, including special attention to the particular situation of least-developed countries. Ministers recognize the importance of the implementation of these provisions for the least-developed countries and declare their intention to continue to assist and facilitate the expansion of their trade and investment opportunities. They agree to keep under regular review by the Ministerial Conference and the appropriate organs of the WTO the impact of the results of the Round on the least-developed countries as well as on the net-food importing developing countries, with a view to fostering positive measures to enable them to achieve their development objectives. Ministers recognize the need for strengthening the capability of the GATT and the WTO to provide increased technical assistance in their areas of competence, and in particular to substantially expand its provision to the least-developed countries.

6. Ministers declare that their signature of the "Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations" and their adoption of associated Ministerial Decisions initiates the transition from the GATT to the WTO. They have in particular established a Preparatory Committee to lay the ground for the entry into force of the WTO Agreement and commit themselves to seek to complete all steps necessary to ratify the WTO Agreement so that it can enter into force by 1 January 1995 or as early as possible thereafter. Ministers have furthermore adopted a Decision on Trade and Environment.

7. Ministers express their sincere gratitude to His Majesty King Hassan II for his personal contribution to the success of this Ministerial Meeting, and to his Government and the people of Morocco for their warm hospitality and the excellent organization they have provided. The fact that this final Ministerial Meeting of the Uruguay Round has been held at Marrakesh is an additional manifestation of Morocco's commitment to an open world trading system and to its fullest integration to the global economy.

8. With the adoption and signature of the Final Act and the opening for acceptance of the WTO Agreement, Ministers declare the work of the Trade Negotiations Committee to be complete and the Uruguay Round formally concluded.