

12 November 1960

WORKING PARTY ON ACCESSION OF ARGENTINA

Participation of Argentina in the Work of the CONTRACTING PARTIES

I. Draft Decision

Considering that the Government of Argentina has made a request to the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade to accede to the General Agreement in accordance with the provisions of Article XXXIII and will be prepared to enter into tariff negotiations with contracting parties to that end as soon as its new customs tariff enters into force;

Considering that the Government of Argentina is a party to the Montevideo Treaty instituting the Latin American Free Trade Association, which is currently being considered by the CONTRACTING PARTIES to the General Agreement;

Desiring that the Government of Argentina, pending its accession, shall be associated with the discussions and deliberations of the CONTRACTING PARTIES;

Noting that a number of contracting parties intend that, pending the accession of Argentina pursuant to Article XXXIII, commercial relations between them and Argentina shall be based upon the provisions of the General Agreement in accordance with the Declaration on the provisional accession of Argentina; and

Considering that the said Declaration requests the CONTRACTING PARTIES to perform certain functions comparable in nature to their functions under the General Agreement:

The CONTRACTING PARTIES

Decide

1. To invite the Government of Argentina to participate in sessions of the CONTRACTING PARTIES and of subsidiary bodies established by the CONTRACTING PARTIES;
2. To accept such functions as are necessary for the operation of the Declaration referred to in the preamble to this Decision;

3. To make arrangements for tariff negotiations between contracting parties and Argentina as soon as practicable after the new Argentina Customs tariff enters into force;

This Decision shall continue in effect until the accession of Argentina to the General Agreement following tariff negotiations with contracting parties or until \_\_\_\_\_ whichever date is earlier, unless the CONTRACTING PARTIES agree to extend it to a later date.

## II. Draft Declaration

The Government of Argentina and the other governments on behalf of which this Declaration has been accepted (the latter governments being hereinafter referred to as the "participating governments");

Considering that the Government of Argentina on 21 September 1960 made a formal request to accede to the General Agreement on Tariffs and Trade (hereinafter referred to as the "General Agreement") in accordance with the provisions of Article XXXIII of the General Agreement, and that that Government will be prepared to conduct the tariff negotiations with contracting parties, which it is considered should precede accession under Article XXXIII, as soon as its new customs tariff enters into force;

Considering that the Government of Argentina is a party to the Montevideo Treaty instituting the Latin American Free Trade Association, which is currently being considered by the CONTRACTING PARTIES to the General Agreement:

1. Declare that, pending the accession of Argentina to the General Agreement under the provisions of Article XXXIII, following the conclusion of tariff negotiations with contracting parties to the General Agreement, the commercial relations between the participating governments and Argentina shall be based upon the General Agreement, subject to the following conditions:

(a) The Government of Argentina shall apply provisionally and subject to the provisions of this Declaration (i) Parts I and III of the General Agreement, and (ii) Part II of the General Agreement to the fullest extent not inconsistent with its legislation existing on the date of this Declaration; the obligations incorporated in paragraph 1 of Article I of the General Agreement by reference to Article III thereof and those incorporated in paragraph 2(b) of Article II by reference to Article VI shall be considered as falling within Part II of the General Agreement for the purpose of this paragraph.

(b) While Argentina will be entitled under Article I of the General Agreement to enjoy the concessions contained in the schedules annexed to the General Agreement, it shall not have any direct rights with respect to those concessions either under the provisions of Article II or under the provisions of any other Article of the General Agreement.

(c) In each case in which paragraph 6 of Article V, sub-paragraph 4(d) of Article VII, and sub-paragraph 3(c) of Article X of the General Agreement, refer to the date of that Agreement, the applicable date in respect of Argentina shall be the date of this Declaration;

(d) Notwithstanding the provisions of paragraph 1 of Article I of the General Agreement, this Declaration shall not require the elimination by the Government of Argentina of any preferences in respect of import duties or charges exclusively between Argentina, on the one hand, and Brazil, Chile, Paraguay, and Peru, on the other hand, and which do not exceed the levels in effect on the date of this Declaration, or are applied consistently with the provisions of the General Agreement. Moreover, it shall not require the elimination of preferences in respect of import duties and charges exclusively between Argentina and Bolivia provided that the level of the preferences does not differ substantially from the general level of preferences now in force;

(e) The provisions of the General Agreement to be applied by Argentina shall be those contained in the text annexed to the Final Act of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment as rectified, amended, supplemented, or otherwise modified by such instruments as may have become effective by the date of this Declaration.

2. Request the CONTRACTING PARTIES to perform such functions as are necessary for the implementation of this Declaration.

3. This Declaration, which has been approved by the CONTRACTING PARTIES by a two-thirds majority shall be deposited with the Executive Secretary of the CONTRACTING PARTIES. It shall be open for acceptance, by signature or otherwise, by Argentina, by contracting parties to the General Agreement and by any governments which shall have acceded provisionally to the General Agreement.

4. This Declaration shall become effective between Argentina and any participating government on the thirtieth day following the day upon which it shall have been accepted on behalf of both Argentina and that government; it shall remain in force until the Government of Argentina accedes to the

General Agreement under the provisions of Article XXXIII thereof or until  
whichever date is earlier, unless it has been agreed  
between Argentina and the participating governments to extend its validity  
to a later date.

5. The Executive Secretary of the CONTRACTING PARTIES shall promptly  
furnish a certified copy of this Declaration, and a notification of each  
acceptance thereof, to each government to which this Declaration is open for  
acceptance.

DONE at Geneva this            day of November one thousand nine hundred and  
sixty, in a single copy in the French and English languages, both texts  
authentic.