



Seventy-fourth session
Salvador de Bahia, Brazil, 2-3 December 2004
Item 7 of the provisional agenda

**REPORT OF THE WORKING GROUP IN CHARGE OF PREPARING
AMENDMENTS TO ARTICLES 6 AND 7 OF THE STATUTES**

Note by the Secretary-General

The purpose of this document is to inform the Executive Council of the progress made in the work of the Working Group prior to its next meeting to be held in the context of this session.

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AMENDMENTS TO ARTICLES 6 AND 7 OF THE STATUTES**

1. It is recalled that the Council, at its seventy-second session (Beijing, October 2003) decided to constitute a Working Group in charge of preparing amendments to Articles 6 and 7 of the Statutes, in close communication with the Secretary-General (decision 4(LXXII)).

2. The composition of the Group was established as follows:

Brazil, Cameroon, Cyprus, France, Italy, Jordan, Mexico, Morocco, Russian Federation, Spain and Tunisia. France was elected as the Chair of the Group, with Spain and Mexico serving as Vice-Chairs.

This Group was also open to Council Members wishing to participate in it.

3. Prior to its last meeting held in Paris, on 4 November 2004, the Group had already held three other meetings: the first immediately after its constitution in China, the second at Headquarters on 27 January 2004, and the third prior to the Council session in Hyderabad, on 8 July 2004.

4. At its second meeting, the Chair requested the Members of the Group to transmit to it, through the Secretariat, any contributions they wished to make.

5. At its third meeting, the Working Group drew up the general orientations of the changes to be made to Articles 6 and 7, and if necessary, to other articles with content related to the objective of the mission entrusted to the Group. The Executive Council took cognizance of these orientations in decision 23(LXXIII).

6. At its fourth meeting, in Paris, the Members of the Group took cognizance of a contribution transmitted to it by Bulgaria, and which was supported by various countries. They also received during the meeting a proposal put forward by the Chair of the Group and supported by Mexico and Spain. Annexed to the present report is a copy of Bulgaria's proposal.

7. The Chair of the Group requested that any comments by the Legal Adviser and by the countries forming part of the Group be submitted by 15 November. The contribution of the Chair was subsequently revised to take into account certain comments that were made, along with certain elements contained in Bulgaria's proposal. It is this modified text that is attached as Annex II.

8. The contributions received included that of Cameroon, supporting Bulgaria's proposal in its entirety, that of Italy advocating a synthesis, and that of Jordan calling for maintaining the current text of Articles 6 and 7. On the other hand, Spain insisted on keeping the proposal put forward by the Chair largely unchanged.

9. A communication was also received from the Ministry of Economic Development and Labour of Hong Kong, in which this Associate Member, as Macao and the Flemish Community of Belgium had done previously, expressed its concern regarding the possibility of losing its right to speak at the General Assembly and raised questions regarding whether it would continue to be in its interest to remain a Member of the WTO if this were to occur.

10. Such apprehensions, however, should not materialize, as both amendment proposals under consideration maintain the status and prerogatives currently enjoyed by the existing Associate Members.

11. The Group decided that its next meeting would be held on the first day of the seventy-fourth session of the Executive Council in Salvador de Bahia, that is, on 2 December 2004. The Chair and of the Members of the Group intend to finalize in the course of this meeting a definitive draft of amendments to the Statutes that can be submitted the next day to the Council.

