

**PREPARATIONS FOR THE 1999 MINISTERIAL CONFERENCE**

Customs Valuation Agreement

*Communication from Kenya on behalf of the African Group*

The following communication, dated 29 July 1999, has been received from the Permanent Mission of Kenya.

1. In connection with the implementation of the Agreement on Customs Valuation (Agreement on Implementation of Article VII of the GATT 1994), 53 developing countries, including 22 African countries, invoked the special provisions set out in Article 20.1 in order to delay application of the Agreement for a transitional period of five years.<sup>1</sup> However, it appears difficult for the African countries to implement the Agreement by the scheduled date (year 2000) owing to their lack of institutional and human resources.

2. With the exception of the technical assistance supplied by the WTO Secretariat with its limited means, so far the developed countries have not lived up to their commitment set out in Article 20.3 of the Agreement concerning special and differential treatment.

3. Paragraph 3 of the Article provides for the drawing up of programmes of technical assistance relating to the training of personnel, the preparation of implementation measures, access to sources of information regarding customs valuation methodology, and advice on the application of the provisions of the Agreement.

**Proposal**

4. Given the non-implementation of Article 20.3, the majority of African countries consider that the transition period granted them is insufficient and will be obliged to request an appropriate extension, in accordance with the relevant provisions of the Agreement, in particular Annex III, in order to enable them to acquire the necessary technical assistance and expertise to implement the Agreement without thereby affecting their comparative advantages.

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<sup>1</sup> Benin, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Djibouti, Egypt, Gabon, Ghana, Kenya, Madagascar, Mali, Mauritania, Mauritius, Nigeria, Senegal, Togo, Tunisia, Uganda and Zambia.