

**DECISION OF THE COUNCIL No. 305**

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**97th/98th Sessions - June 2001**

**STATUS AND RIGHTS OF OBSERVERS TO THE MANAGEMENT COMMITTEE**  
**OF THE INTERNATIONAL CONVENTION ON THE SIMPLIFICATION**  
**AND HARMONIZATION OF CUSTOMS PROCEDURES**  
**(THE KYOTO CONVENTION AS AMENDED)**

HAVING REGARD to Article III (c) of the Convention establishing a Customs Co-operation Council (CCC) now known as the World Customs Organization (WCO),

HAVING REGARD to Article 6 (3) of the International Convention on the Simplification and Harmonization of Customs Procedures (Kyoto Convention as amended) which was adopted by the Council at its 93<sup>rd</sup>/94<sup>th</sup> Sessions in June 1999,

NOTING that it is necessary for the Council to decide on the status and rights of such observers to the Management Committee of the Kyoto Convention as amended,

CONSIDERING that it is necessary for this decision to be taken without delay to ensure widespread participation in the management and development of the Kyoto Convention as amended,

THE COUNCIL DECIDES as follows :

1. In accordance with Article 6(7) the Secretary General of the Council shall invite the entities referred to in Article 6 (3) of the Convention to attend all sessions of the Management Committee as observers.
2. Observers at sessions of the Management Committee shall have the right to participate fully in the sessions but shall not have the right to vote.
3. Observers to the Management Committee which are not Members of the Council shall not be entitled, by virtue of this observer status, to participate in other CCC meetings.
4. Attendance as an observer at the Management Committee shall not constitute a precedent for participation in other areas of CCC work for those observers which are not Members of the Council.
5. Only observers to the Management Committee who are Members of the Council shall be entitled to receive technical assistance or training provided by the CCC or to host CCC meetings.

6. The heads of observer delegations of Members of the World Trade Organization (WTO) that are not eligible to become Contracting Parties to the Kyoto Convention as amended are expected to be representatives of the Customs Administration. Such observer delegations will be referred to by the name used at the WTO.
7. Observer delegations are expected to be composed of technical experts qualified to advise on topics under discussion.
8. In accordance with Articles 6 (6) and 6 (10), observers mentioned in Article 6 (3) shall be entitled to receive relevant reports and papers of the Committee.
9. This Council Decision shall enter into force on the date of entry into force of the Kyoto Convention as amended.

John C. TSANG,  
Acting Chairman.

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