

GENERAL AGREEMENT ON TARIFFS AND TRADE

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CONTRACTING PARTIES
Fifth Session

DOCUMENTS TO EMBODY THE RESULTS OF THE TARIFF NEGOTIATIONS

Letter addressed to the Chairman of the Contracting Parties
by the Vice-Chairman of the Tariff Negotiations
Committee.

"The Tariff Negotiations Committee has concluded for the time being its consideration of the documents to embody the results of the Torquay Conference. The approved documents are attached to the Legal Working Party's report which has been distributed as document GATT/CP.5/46.

"In view of the fact that the methods of dealing with the results of the tariff negotiations are dependent to some extent upon the outcome of the Torquay Conference, the Committee anticipates that it may not be possible for the Contracting Parties to reach final conclusions on all points before the close of their present Session. Therefore, I am directed to enquire whether the Contracting Parties would authorise the Committee to make such changes in the documents as it may deem necessary to deal with the following questions:

1. The Committee proposes to incorporate in the Torquay Protocol the amendment of Article XXVIII of the General Agreement extending the assured life of the existing schedules until January 1, 1954. Several delegations do not share the view of the majority of the Committee that the incorporation of this amendment in the Torquay Protocol will expedite its acceptance and would prefer the amendment of Article XXVIII to be incorporated in a protocol which is independent of the Torquay Protocol. Moreover, the provisions in the Torquay Protocol for the amendment of Article XXVIII have been drafted on the assumption that the results of the Torquay negotiations will be satisfactory, but as to the acceptance of the amendment, several delegations have stated that the attitude of their governments will depend partly on a considerable reduction of the disequilibrium in general levels of tariffs. Accordingly, the Committee suggests that it might be given authority by the Contracting Parties to remove paragraph 6 from the Torquay protocol, should this course appear desirable, and to prepare for signature the protocol to amend Article XXVIII which was drawn up at the Fourth Session.
2. The draft Torquay Protocol provides for the inclusion of the results of the renegotiations under Article XXVIII in the schedules annexed to the Protocol. The proposed procedure for bringing the modifications, withdrawals and compensating adjustments into force appears to be satisfactory, but it is based upon the assumption that each negotiation under Article XXVIII will be brought to a successful conclusion before the close of the Conference. If it should be found that not all negotiations will be successfully concluded by that time, it may be desirable to amend the protocol. Accordingly, the Committee suggests that it should be given authority by the Contracting Parties to make appropriate amendments in the Torquay Protocol, if this should be deemed necessary after reviewing from time to time the progress made in the Article XXVIII negotiations.

3. Finally, it may be necessary to take account of the fact that the French Government will no longer be in a position to assume responsibility for the application of the General Agreement by the Associated States of Indo-China. It has been noted that the position of Indo-China in relation to the General Agreement is on the Agenda for the present session of the Contracting Parties, and therefore it is expected that it may be possible for the Contracting Parties to inform the Committee of their wishes in this matter.

"It would be appreciated if the foregoing proposals could be considered by the Contracting Parties when the draft documents are submitted for their approval."