

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED
LIMITED W
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CONTRACTING PARTIES
Sixth Session

WORKING PARTY 4 ON ARRANGEMENTS FOR TARIFF NEGOTIATIONS

Redraft of Proposals submitted by the Executive Secretary

A. Negotiations with a government wishing to accede to the General Agreement

1. The Secretariat on receiving a communication from the Government of Ruritania that it wishes to enter into negotiations with contracting parties with a view to acceding to the Agreement would notify the contracting parties by cable, together with an indication to the contracting parties with whom it was intended to enter into such negotiations. It would be understood that on receipt of such a communication each contracting party would be expected to advise within 30 days, or within 60 days should any contracting party so request, whether
 - (a) it had any objections to Ruritania entering into negotiations under these procedures with a view to accession,
 - (b) in the event of negotiations taking place, it would wish to participate.
2. If three or more contracting parties advise that they object to arrangements being made for negotiations with Ruritania, the request of Ruritania would be referred to the next session of the Contracting Parties. However, in a case of urgent necessity a special session of the Contracting Parties could be called, in accordance with the Rules of Procedure, at the request of any contracting party which had advised its desire to enter into negotiations with Ruritania.
3. Unless objections were so raised by three or more contracting parties, the Secretariat would consult with the participating governments (i.e. Ruritania and the participating contracting parties) to determine:
 - (a) the site for the negotiations;
 - (b) the date on which the lists of requests should be exchanged;
 - (c) the date for the exchange of the lists of offers, and
 - (d) the date of entering into negotiations.

As far as possible in advance of the date it is proposed to enter into negotiations, participating governments should submit 50 copies of their request lists to the Secretariat for circulation to other contracting parties.

4. In the exceptional case where a number of contracting parties were involved in negotiations at a single centre, the participating governments could set up a Tariff Negotiations Committee to render assistance on questions of procedure and other matters connected with the conduct of the negotiations. The Secretariat, in consultation with participating governments, would prepare the decision regarding the accession of Ruritania. Secretariat services for the Tariff Negotiations Committee would be provided by the Secretariat to the Contracting Parties.
5. The negotiations would be conducted in accordance with the rules and principles laid down in GATT/TN.2/16, Section III.
6. The draft protocol of accession, with the schedules of tariff concessions annexed, and a draft decision under Article XXXIII relating to the accession of Ruritania would be submitted to the next session of the Contracting Parties for approval. However, in the event that a substantial period would elapse between the conclusion of the negotiations and the next session, and on the request of the participating governments, the Secretariat would circulate a draft decision and a protocol containing the provisions of a model protocol adopted at the Sixth Session (Annex A). On receipt of a favourable vote from two-thirds of the contracting parties the protocol would be opened for signature. If an objection were received to the provisions of the protocol or of the decision the matter would be referred to the next session by, or at the request of, the participating governments to a special session of the Contracting Parties.

- B. Outline of procedures for the conduct of tariff negotiations under the General Agreement outside general negotiating conferences.

Introductory Note

Although there is nothing in the General Agreement which prevents individual contracting parties from negotiating with each other outside the scope of the Agreement, the Contracting Parties have considered it desirable to set forth the general procedures for the conduct of negotiations within the framework of the General Agreement. Since that Agreement is a multilateral tariff agreement, it is desirable that such procedures take cognizance of the possible interest of other contracting parties in negotiations undertaken between only two contracting parties, and also provide rules for more complicated cases which may sometimes, in practice, arise.

Normally, negotiations under this heading will prove less complicated than those arising under Part A of this paper. In view of the successive rounds of large-scale negotiations which have taken place since 1947, it may be expected that further negotiations undertaken between contracting parties in the near future will be of a limited character and unlikely therefore to lead to extensive participation by other contracting parties.

1. Contracting parties wishing to enter into negotiations with a view to the incorporation of the results of such negotiations into the General Agreement on Tariffs and Trade would notify the Secretariat which would pass on the information to all other contracting parties by cable.
2. As far as possible in advance of the date it is proposed to enter into negotiations, the parties originally proposing those negotiations would advise the Secretariat of their intentions as to the date and place of the proposed negotiations and submit 50 copies of request lists. This information as well as the request lists would be circulated by the Secretariat to other contracting parties.
3. A contracting party which considered that it had a substantial interest in the negotiations and wished to negotiate, with regard to such interest, with one or more of the parties which originally proposed negotiations, should (within 30 days) propose such negotiations to the government or governments concerned and, at the same time, notify the Secretariat. The participating governments may invite other contracting parties which they consider to have a substantial interest in the negotiations to participate therein.
4. If supplementary negotiations are to take place the Contracting Parties, through the Secretariat, should be notified and supplied with request lists. Such supplementary negotiations should where practicable take place at the same time and place as the negotiations originally proposed; however, if such an arrangement is not convenient, other arrangements could be made by agreement between the governments concerned. The Secretariat should be kept informed of such alternative arrangements.

5. The negotiations would be conducted in accordance with the relevant rules and principles laid down in GATT/TN.2/16, Section III.
6. In the exceptional case where a number of contracting parties were involved in negotiations at a single centre, the participating governments could set up a Tariff Negotiations Committee to render assistance on questions of procedure and other matters connected with the conduct of the negotiations.
7. The results of the negotiations would be put into effect as agreed by the participating governments. These governments would also communicate such results to the Secretariat, which would circulate them to all contracting parties. The appropriate documents for formally integrating the results into the General Agreement would be drawn up at the following session of the Contracting Parties. Pending the entry into force of such formal documents, each participating government would apply the results of its negotiations as if they were contained in a schedule to the General Agreement relating to that government, and the Contracting Parties would also so consider them.

