

# GENERAL AGREEMENT ON TARIFFS AND TRADE

DIVISION LINGUISTIQUE

GATT

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RESTRICTED

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## TARIFF NEGOTIATIONS - 1956

### Procedures and Methods of Negotiation

#### Some Notes of Guidance for Negotiators

1. The secretariat has received a number of enquiries concerning the methods of negotiation to be followed in the Tariff Conference commencing on 18 January. Since many delegates may be participating in a multilateral tariff negotiation for the first time, it may be useful to recall the practices followed at previous conferences and to explain the procedures adopted for the 1956 negotiations.
2. The rules and procedures adopted by the CONTRACTING PARTIES for the 1956 Conference are set out in L/408. These will be reproduced in convenient form at the opening of the Conference.
3. The negotiations will be conducted on the basis of requests submitted by one government to another. Each government intending to participate in the Conference was asked to submit a list of requests by 1 October 1955 to each other government with which it desired to negotiate. Forty copies of each list were to be sent to the secretariat for distribution to other participants. An enumeration of the lists received and distributed by the secretariat will be issued to delegations at the opening of the Conference.
4. The submission of requests in advance of the Conference is essential to the next step in the preparations, namely the determination by each country of the offers it will make in response to the requests. Therefore, governments which have not submitted to other governments and to the secretariat all of their request lists should do so as early as possible.
5. Offers should be based on the assumption that all the requests which the government has itself made will be fully met. It is particularly desirable that this rule should be followed in the 1956 Conference in order that the review of the consolidated offers by the Tariff Negotiations Committee (see paragraph 9) may be meaningful.
6. The offers should be drawn up in a consolidated list, with items arranged numerically as in the customs tariff as follows :

CONSOLIDATED LIST OF OFFERS BY .....

Tariff Item Numbers	Description of Products	Present Rates of Duty	Con- cessions requested	Offers	
				Con- cessions offered	Countries to which offers are made
I	II	III	IV	V	VI

One of the rules for the negotiations provides that participating governments are free not to grant concessions on particular products, and therefore a government may respond to a request by advising that it is not prepared to offer a concession on that product. The consolidated list of offers, however, should contain the details of each request received, even though the response may be "no offer". In other words, a country's list of offers should include a response to each request list received and to each individual request in each list. At the opening of the Conference each delegation should submit to the Executive Secretary forty copies of its consolidated offer list, and it would be helpful if the list were preceded by a list of the countries to which the offers are made.

7. The form in which the consolidated lists of offers are to be prepared call for notations in column VI of the countries to which the offers are made. For this purpose, the following abbreviations should be used:

Australia	- AIA	Denmark	- DEN	Italy	- IT
Austria	- ATA	Dominican Republic	- DR	Japan	- JP
Benelux	- BX	Finland	- FIN	Nicaragua	- NIC
Canada	- CAN	France	- FR	Norway	- NOR
Ceylon	- CE	Germany	- GY	Sweden	- SW
Chile	- CHL	Greece	- GR	Turkey	- TY
Cuba	- CU	Haiti	- HA	United Kingdom	- UK
Czechoslovakia	- CZ	India	- IN	United States	- US

If, on a given item, no offer is being made, the abbreviation for the country which made the request should be inserted in the sixth column.

8. The Conference will begin with an inaugural meeting of the Heads of all delegations who have come to Geneva either to participate in the negotiations or as observers. This will be followed by meetings of the Tariff Negotiations Committee. This Committee will be composed of those participating governments which have submitted their consolidated offer lists.

9. There are two types of question with which the Tariff Negotiations Committee will be called upon to deal. In the first place, the Committee will discuss general questions concerning the management of the Conference and the conduct of the negotiations. When such matters are under discussion, the rules of procedure of the CONTRACTING PARTIES governing the attendance of observers will apply (see Basic Instruments and Selected Documents, Vol.I, p. 96). At other times, however, the Committee will deal with questions of a more confidential character, such as the review of the consolidated lists of offers; as these matters are really a part of the process of negotiation, such meetings will be open only to members of the Committee.
10. As soon as practicable after the opening of the Conference, the Tariff Negotiations Committee will review the consolidated offer lists, but this initial review will not delay the opening of the bilateral negotiations. The delegations of each pair of countries which have exchanged offers should arrange a meeting at their earliest convenience to begin their negotiation.
11. When two delegations have completed their negotiation, they will submit to the secretariat, attached to a letter signed by both parties, the two lists of concessions granted. This submission will conclude the bilateral phase of that particular negotiation, but the concessions granted will remain subject to review in the light of the aggregate results of the Conference; that is to say, the two delegations will have the right to make, by agreement, any adjustments they consider necessary in the light of the results of other negotiations as they are completed. When a country has completed all its bilateral negotiations, it will submit a consolidated list of the concessions it has granted.
12. The consolidated lists of concessions will become additional schedules to the GATT and will be annexed to the protocol by which the results of the Conference will be incorporated in the General Agreement. The concessions in these schedules will be generalized to other contracting parties to the GATT by virtue of the most-favoured-nation provisions of Article I of the Agreement. This binding of rates of duty will extend for an indefinite period and may be subsequently modified only in accordance with the provisions of the General Agreement and, in particular, in accordance with the procedures of Article XXVIII. The procedures of Article XXVIII for the modification or withdrawal of a concession require negotiations with the contracting party with which the concession was initially negotiated, and it is in this connexion that the recording of the country to which each concession is granted has special significance. It frequently happens that a concession is "initially negotiated" with more than one country.
13. It was suggested in TN.56/1, paragraph 5, that governments may be able to furnish with their consolidated lists a statistical analysis showing the value of imports of the items on which concessions are offered. In addition, the secretariat will be prepared during the Conference to provide statistical services to delegations and to the Tariff Negotiations Committee.
14. The secretariat will make arrangements to prevent the disclosure of confidential material in its possession. Similarly each delegation will be responsible for the preservation of secrecy of Conference documents.