

GENERAL AGREEMENT ON TARIFFS AND TRADE

1956 TARIFF CONFERENCE

Tariff Negotiations Committee

GATT
DIVISION **LINGUISTIQUE**
TN.56/3
14 March 1956
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INTERNATIONAL TRADE BARRIERS TO THE FREE FLOW OF EDUCATIONAL, SCIENTIFIC AND CULTURAL MATERIALS

Statement by Mr. Julian Behrstock (Unesco)

At a meeting of the Tariff Negotiations Committee, held on 7 March 1956, Mr. Julian Behrstock, representative of the United Nations Educational, Scientific and Cultural Organization, supplementing a communication (TN.56/3) from the Director-General of the Organization made a statement urging participating governments to eliminate or reduce barriers to the free flow in international trade of educational, scientific and cultural materials.

The Committee decided to call the attention of all participating contracting parties to the statement of the representative of Unesco, which is reproduced hereunder.

"I should like, on behalf of the Director-General of Unesco, to express our great appreciation for the invitation extended to our Organization to be represented at the discussion here today. We are grateful as well for the decision taken by the Committee to place on its agenda the suggestion submitted by the Director-General and circulated as document TN.56/3. May I also, Mr. Chairman, say a special word of thanks to Mr. Wyndham White and his colleagues of the GATT secretariat who have never failed to give Unesco the benefit of their advice and help.

"At first glance, one may wonder why an organization devoted to the advancement of education, science and culture is to be found taking up the time of a busy conference concerned with the negotiation of tariffs. But tariff experts, I believe, will be the first to recognize the community of interest between the GATT and Unesco. If Unesco is to approach in a realistic way the task given to it by its Constitution of promoting the international exchange of publications, works of art, scientific equipment and other materials of information, it cannot disregard the tariff and trade regulations governing the circulation of these materials in the world today. And if Unesco is to hope for practical action in the matter, there is only one international body to which it can turn - namely, the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade.

"It is these considerations which prompted Unesco as early as March 1949, on the occasion of the Annecy Conference, to convey to the Chairman of the CONTRACTING PARTIES the hope that our Organization might be given the benefit of your assistance. Specifically, we asked if we might receive your technical advice as to the feasibility of Unesco sponsorship of an international agreement abolishing tariffs on certain categories of educational materials.

"The response given to this request by the Annecy Conference was swift, generous and effective. A seven-nation working party was established to study the matter. The Working Party soon concluded that not only was an international agreement feasible but that it might cover a wide range of educational, scientific and cultural materials.

"Having reached this conclusion, the Working Party plunged boldly into the task of drafting an Agreement. It was a remarkable achievement that they succeeded in placing before the Tariff Negotiations Committee in 1949 a text which the Committee endorsed unanimously as 'a draft that might receive the widest possible adherence.'

"Almost seven years have elapsed since your Committee made that statement, and events in the intervening period have proved your optimism to be soundly based. The General Conference of Unesco in July 1950 unanimously adopted the Agreement on the Importation of Educational, Scientific and Cultural Materials -- substantially the same text as that drafted at the Annecy Conference. The Agreement entered into force two years later, upon receipt of the tenth ratification. It is now applied by twenty-one countries, and a number of other countries are actively considering joining it.

"The terms of the Unesco Agreement will, I think, be familiar to many members of this Committee. Briefly, it provides tariff exemption to five categories of materials: books, publications and documents; paintings, drawings and other works of art; films, recordings and similar auditory and visual materials of an educational, scientific or cultural character; and, finally, articles for the educational advancement of the blind.

"Mr. Chairman, if I have dwelt at some length on this Agreement, it is because we believe that its application by an increasing number of countries offers the greatest hope of easing the problem which brings Unesco before you today. Indeed, it is the absence of certain of the contracting parties from the list of countries applying the Agreement which constitutes the major reason for this renewal of the effort initiated at Annecy.

"The fact is that the Agreement is not universally applied, nor can it be said to constitute, in itself, any panacea. The Agreement, broad as it is, does not cover all the materials with which we are concerned.

It applies to those particular categories to which governments were prepared to grant complete exemption, occasionally with certain qualifying conditions. It does, and could, not provide for any progressive lowering of tariff rates on the many other materials in this field.

"Hence, Mr. Chairman, the two-fold object of the suggestion made to you by Unesco: First, that countries which have not as yet found themselves in a position to apply the Unesco Agreement might undertake to reduce tariffs for the items it covers. Second, that countries which do apply the Agreement might be prepared to negotiate tariff reductions on certain additional categories.

"The list attached to the Director-General's letter is intended to provide a general guide as to the materials which, by virtue of their educational or scientific interest, might be taken into account in the negotiations. It will be apparent that certain of these items, such as printing paper or scientific equipment, have commercial as well as educational uses. Accordingly, any tariff concession for these items may impose the prerequisite that they be destined to approved educational or scientific institutions or organizations in the importing country. Such qualifying factors have not been indicated in the Unesco list since it was felt that the negotiating governments themselves would be better able to determine the precise conditions they might deem it necessary to attach to any particular tariff concession.

"This commercial factor, I am aware, Sir, has caused some delegations to question the efficacy of tariff negotiations as a means of achieving Unesco's objective. Is the GATT Conference, it has been asked, a proper forum for the issue we have placed before you? But, if not here, where else? What more appropriate place than this assembly dedicated to the lowering of trade barriers generally is there for Unesco to bring its appeal for the lifting of these barriers as they affect the materials with which we are concerned?

"Moreover, Mr. Chairman, may I venture a personal observation based on the experience of some seven years of dealing with tariff representatives? I would say that, although tariff specialists are accustomed to depicting themselves rather fiercely as 'hard-headed negotiators,' there is no group of people whom I have had the privilege of working with, who have greater solicitude for the practical aims of Unesco nor more genuine concern that, as far as possible, trade barriers shall not stand in the way of educational and scientific advancement. We in Unesco are happy to entrust to you our hopes for the continued reduction of these barriers.

"How much remains to be done will be evident from the Unesco study Trade Barriers to Knowledge which the GATT Secretariat was kind enough to distribute to all the delegations. This survey of the tariff and trade regulations of ninety-one countries provides, I am afraid rather convincing evidence of the extent to which the materials on the Unesco list are subject to restriction. It shows, for example, that 12 per cent

of the countries of the world apply tariffs to books, newspapers and magazines; that 30 per cent charge duties on paintings and sculpture; and that 56 per cent levy duty on scientific instruments.

"Such tariffs often constitute a very real obstacle for a school, a museum or a scientific laboratory. In the slender budgets of these institutions, customs duties frequently become a significant factor which may place outside their financial means the materials they need from abroad.

"Moreover, the hindrance is not to educational advancement alone. To restrict international trade in books or works of art unfortunately is to diminish also the unique opportunities which derive from the interchange of each country's finest achievements. It is increasingly evident that no temporary economic advantage, no revenue gained, can equal the loss to all countries of failing to make the fullest use of the channels of international trade as a means of mutual understanding. No protectionism could, in fact, be less rewarding than that which 'protects' the minds of people from the ideas and attainments of other lands.

"I know that these are convictions which we share with you, and from this community of purpose we take hope that your conference will mark new progress in the effort to make trade channels serve as a more effective link between the peoples of the world."