

GENERAL AGREEMENT ON  
TARIFFS AND TRADE

RESTRICTED

CPC/W/60  
13 July 1978

Special Distribution

Preferential Arrangements  
Among Developing Countries  
Negotiated in GATT

POINTS FOR CONSIDERATION

Note by the Secretariat

1. In the course of the five-year review of the arrangements under the Protocol at the April 1978 meeting of the Committee of Participating Countries, a number of points were raised which some members felt could be usefully taken up at a future meeting of the Committee (CPC/45, paragraph 13). With a view to facilitating discussions and any further action by the Committee, the relevant points have been summarized hereunder.

Implementation of concessions pending completion of ratification procedures

2. The possible implementation of concessions on a de facto basis by countries which have not completed ratification procedures within a reasonable time period has been raised for consideration at some earlier meetings of the Committee (CPC/8, paragraph 12; CPC/9, paragraph 6). In this connexion, it was suggested that subject to the agreement of the Committee of Participating Countries, a country which had not completed ratification procedures would suspend rates of duty applicable to the items contained in its schedule of concessions vis-à-vis participating countries to the extent necessary to give to products originating in those countries the preferential tariff treatment negotiated in the framework of the Protocol, while participating countries would in exchange apply to imports of scheduled items originating in the country which had not completed ratification procedures, the tariff treatment provided in their respective schedules. It was noted that this procedure, which would require an ad hoc decision of the Committee and the agreement of the acceding country, should not be used to delay or postpone indefinitely the completion of ratification procedures. At the time of the earlier discussion of this suggestion, one country whose ratification was pending, stated that application of the Protocol on a de facto basis was not possible due to the lack of appropriate authority by his country's administration. One other country in a similar situation regarding ratification had indicated its readiness to implement its concessions vis-à-vis other participating countries on a reciprocal basis as an interim arrangement. In the event, this country was able to complete its ratification procedures, so de facto application proved unnecessary.

While the Committee may wish to discuss further the implications and possibilities of this proposal, it might also wish to consider whether such an approach could usefully be kept in mind for possible application on a case-by-case basis with respect to future accessions having regard to the specific situation at the time and the legal and constitutional position of the acceding country.

#### Rules of procedure

3. The provisional rules of procedure of the Committee (CPC/2) were adopted on 8 May 1973 (Annex I). Some members of the Committee have suggested the deletion of the word provisional in the heading and in paragraph 5 of the document. It has also been suggested that paragraph 4 of the rules be amended to make it clear that documents will be distributed to members of the Committee only. It is for consideration whether these suggestions should now be put into effect and whether any other modification to the rules might be desirable in the light of the experience of the Committee with them.

#### Derestriction of documents

4. It is normal procedure in international bodies for documents to be derestricted after a certain period of time, unless otherwise decided. Possible procedures for derestriction of CPC documents are contained in Annex II for the consideration of the Committee.

#### Modification of the Protocol

5. Up to now no proposals concerning possible modifications of the Protocol have been put forward by participating countries. However, this matter may be taken up at any time.

ANNEX I

COMMITTEE OF PARTICIPATING COUNTRIES

Provisional Rules of Procedure<sup>1</sup>

1. Chairman and Vice-Chairman The Committee of Participating Countries (hereinafter referred to as the "Committee") established under paragraph 4 of the Protocol Relating to Trade Negotiations among Developing Countries of 8 December 1971 (hereinafter referred to as the "Protocol") shall elect a Chairman and a Vice-Chairman on a rotation basis from amongst the representatives of the governments of the participating countries. The Chairman and Vice-Chairman shall serve for a period of six months.
2. Conduct of Business A simple majority of the representatives of the participating countries shall constitute a quorum.
3. Meetings The Committee should normally meet at least once in each calendar quarter. Meetings of the Committee may also be held as required, and may be called by the Chairman or convened on the basis of a request by any participating country upon ten days' advance notice except where special circumstances require otherwise. A draft agenda and relevant documentation shall normally be circulated at least ten days in advance of a meeting. The representatives of developing countries which have signed but not accepted the Protocol may attend the meetings and may participate in the discussions without vote. Representatives of governments of other developing countries may attend the meetings on the invitation of the Committee and may participate without vote in the discussions in accordance with the terms of such invitation.
4. Documents Reports and other documents shall be prepared and distributed<sup>2</sup> by the secretariat as needed.
5. Amendments These Provisional Rules of Procedure or parts thereof may be amended at any time by the Committee.

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<sup>1</sup>Adopted on 8 May 1973 and circulated as CPC/2.

<sup>2</sup>It has been suggested that these rules should make it clear that CPC documents will be made available only to members of the Protocol.

ANNEX II

DERESTRICTION OF CPC DOCUMENTS

1. No derestriction arrangements have yet been considered with respect to CPC documentation. However, it might be noted that the annual reports of the Committee of Participating Countries to the CONTRACTING PARTIES, issued in the L/ series of GATT documents, have been derestricted after a period of time and been incorporated in the BISD.

2. There exist at present the following series of CPC documents:

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|-------------|--|
| CPC         | - this series is used basically for reproducing notifications and communications received from delegations, for the summary of discussion prepared by the secretariat after each meeting of the Committee of Participating Countries, for Protocols of Accession and for decisions adopted by the Committee; |
| CPC/W       | - for working documents for the Committee of Participating Countries;  |
| LDC/TS      | - this series is being used for the collection of data aimed at assessing prospects of a new round of trade negotiations among developing countries;   |
| CPC/S       | - documents relating to special meetings of the Committee of Participating Countries;  |
| CPC(SECRET) | - this series of documents contains confidential information relating to negotiations and other issues concerning the arrangements under the Protocol.   |

3. It is suggested that documents might be considered for derestriction, where appropriate, along the following lines:

- (i) Documents might be considered for derestriction twice a year normally at the July and January meetings of the Committee. The time interval for derestriction might be a minimum of six months after the subject matter covered by the document has been dealt with by the Committee. This procedure would, in particular, cover documents in the CPC/ and CPC/W/ series unless otherwise decided by the Committee. On the above basis, a list of CPC/ and CPC/W/ documents which would appear to be presently eligible for derestriction is attached. CPC/ and CPC/W/ documents on which action or discussion of the matter appear not to have been completed are also listed.

(ii) CPC/S/ documents (list attached) which concern special meetings held in 1973 and 1974 could also be derestricted forthwith unless otherwise decided by the Committee.

(iii) It is fairly normal practice for documents not to be derestricted until the action or actions to which they relate have been completed unless a decision is taken to the contrary. This would appear to be the case for documents in the current LDC/TS series relating to the possibilities for enlargement of the Protocol unless members of the Committee felt otherwise.

(iv) CPC{SECRET} documents would not normally be derestricted.

CPC/ Documents on which Action or Discussion of the Matter  
Appears to have been Completed

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Document No.	Title
<u>Committee of Participating Countries</u>	
Symbol: CPC/	
1	Summary of Discussion at First Meeting - 8 May 1973
2	Provisional Rules of Procedure
3	Communication from Kenya
4	Procedure for Rectifications of a Purely Formal Character to the Schedules of Concessions Embodied in the Protocol Relating to Trade Negotiations Among Developing Countries - Decision of 28 September 1973
5	Summary of Discussion at Second Meeting - 28 September 1973
6	Summary of Discussion at Third Meeting - 14 January 1974
7	Notification by Israel
8	Summary of Discussion at Fourth Meeting - 10 April 1974
8/Corr.1	Corrigendum
9	Summary of Discussion at Fifth Meeting - 23 July 1974
10	Information concerning Certification of Origin
10/Add.1	Addendum - Brazil and Chile
10/Add.2	Addendum - Brazil
10/Add.3	Addendum - Mexico
10/Add.4	Addendum - Greece
10/Add.5	Addendum - Tunisia

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Document No.	Title
Symbol: CPC/	
10/Add.6	Addendum - Uruguay
10/Add.7	Addendum - Greece
10/Add.8	Addendum - Mexico
10/Add.9	Addendum - Peru
12	Greek Schedule of Concessions
13	Summary of Discussion at Sixth Meeting - 2 October 1974
14	Communication from Sri Lanka
16	Communication from Iran
17	Summary of Discussion at Seventh Meeting - 17 December 1974
18	Notification by Israel
20	Notification by Israel
21	Notification by Tunisia
22	Summary of Discussion at Eighth Meeting - 14 April 1975
24	Summary of Discussion at Ninth Meeting - 10 July 1975
25	Communication from Mexico
26	Communication from Bangladesh
27	Communication from Uruguay
28	Communication from the Dominican Republic
30	Summary of Discussion at Tenth Meeting - 13 and 17 October 1975

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Document No.	Title
Symbol: CPC/	
31	Summary of Discussion at Eleventh Meeting - 14 January 1976
33	Summary of Discussion at Twelfth Meeting - 22 April 1976
35	Accession of Bangladesh
35/Add.1	Addendum
36	Summary of Discussion at Thirteenth Meeting - 26 July 1976
37	Summary of Discussion at Fourteenth Meeting - 22 October 1976
38	Summary of Discussion at Fifteenth Meeting - 31 January 1977
39	Notification by Tunisia
40	Summary of Discussion at Sixteenth Meeting - 29 April 1977
41	Summary of Discussion at Seventeenth Meeting - 29 July 1977
42	Summary of Discussion at Eighteenth Meeting - 31 October 1977

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CPC/ Documents on which Action or Discussion of the Matter  
has not been Completed

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Document No.	Title
<u>Committee of Participating Countries</u>	
Symbol: CPC/	
11	Note Verbale from Romania
15	Communication from Paraguay
19	Communication from Paraguay - Memorandum on Foreign Trade Régime
23	Note Verbale from Romania
23/Add.1	Addendum
29	Accession of Paraguay
29/Add.1	Addendum
32	Communication from Paraguay
34	Protocol for the Accession of Paraguay to the Protocol Relating to Trade Negotiations Among Developing Countries - Extension of time-limit for signature

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CPC/W/ Documents on which Action or Discussion of the Matter  
Appears to have been Completed

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Document No.	Title
<u>Committee of Participating Countries - Working Papers</u>	
Symbol: CPC/W/	
1	Meeting of 3 May 1973 - Items proposed for inclusion on the agenda
1/Add.1	Addendum - Change of date of meeting to 8 May 1973
2	Meeting of 28 September 1973 - Items proposed for inclusion on the Agenda
3	Draft Procedures for Rectifications of a Purely Formal Character to the Schedules of Concessions Embodied in the Protocol Relating to Trade Negotiations Among Developing Countries
4	Meeting of 14 January 1974 - Convening Notice
5	Agenda for meeting to be held on 14 January 1974
6	Reporting Procedures
7	Agenda for meeting to be held on 10 April 1974
8	Agenda for meeting to be held on 23 July 1974
9	Agenda for meeting to be held on 2 October 1974
10	Draft First Annual Report to the GATT CONTRACTING PARTIES <sup>1</sup>
11	Enlargement of the Protocol - Communications from non-participating countries
12	Rules of Origin - Note by the Secretariat

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<sup>1</sup>It is for consideration whether drafts such as these need be given wider circulation than the CPC.

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Document No.	Title
Symbol: CPC/W/	
12/Add.1	Addendum - Notification by Spain
13	Agenda for meeting to be held on 17 December 1974
14	Enlargement of the Protocol - Note by the Secretariat
14/Add.1	Addendum
15	Annual Report - Note by the Secretariat
16	Enlargement of the Protocol - Note by the Secretariat
17	Agenda for meeting to be held on 14 April 1975
18	Enlargement of the Protocol - Note by the Secretariat
19	Agenda for meeting to be held on 10 July 1975
20	Reporting Procedures - Note by the Secretariat
21	Accession to Protocol without negotiations - Note by the Secretariat
22	Enlargement of the Protocol - Note by the Secretariat
25	Agenda for meeting to be held on 13 October 1975
26	Draft Second Annual Report to the GATT CONTRACTING PARTIES <sup>1</sup>
27	Accession of Bangladesh - Note by the Secretariat
28	Accession Formalities in GATT - Note by the Secretariat
29	Rules and Certification of Origin - Note by the Secretariat
30	Agenda for meeting to be held on 14 January 1976
31	Accession without negotiations of Bangladesh - Note by the Secretariat <sup>1</sup>

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<sup>1</sup>It is for consideration whether drafts such as these need be given wider circulation than the CPC.

Document No.	Title
Symbol: CPC/W/	
31/Rev.1	Revision <sup>1</sup>
32	Enlargement of the Protocol - Note by the Secretariat
33	Agenda for meeting to be held on 22 April 1976
34	Accession of Bangladesh - Bangkok Agreement - Note by the Secretariat
35	Protocol Relating to Trade Negotiations Among Developing Countries - Note by the Secretariat
36	Reporting Procedures - Note by the Secretariat
37	Agenda for meeting to be held on 26 July 1976
38	Participating Countries' Trade with Bangladesh
38/Add.1	Addendum
39	Agenda for meeting to be held on 22 October 1976
40	Draft Third Annual Report to GATT CONTRACTING PARTIES <sup>1</sup>
40/Add.1	Addendum
41	Protocol Relating to Trade Negotiations Among Developing Countries - Note by the Secretariat
42	Agenda for meeting to be held on 31 January 1977
43	Enlargement of the Protocol - Note by the Secretariat
44	Agenda for meeting to be held on 29 April 1977
47	Reporting Procedures - Note by the Secretariat

<sup>1</sup>It is for consideration whether drafts such as these need be given wider circulation than the CPC.

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Document No.	Title
Symbol: CPC/W/	
48	Meeting to be held on 27 July 1977
50	Draft Fourth Annual Report to the GATT CONTRACTING PARTIES <sup>1</sup>
50/Add.1	Addendum
51	Meeting to be held on 31 October 1977
53	Meeting to be held on 30 January 1978

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<sup>1</sup>It is for consideration whether drafts such as these need be given wider circulation than the CPC.

CPC/W/ Documents on which Action or Discussion of the Matter  
has not been Completed

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Document No.	Title
<u>Committee of Participating Countries - Working Papers</u>	
Symbol: CPC/W/	
23	Accession without negotiations of Paraguay - Note by the Secretariat
24	Enlargement of Protocol - Romania - Note by the Secretariat
24/Corr.1	Corrigendum
45	Enlargement of the Protocol - Collection of Basic Data - Note by the Secretariat
46	Accession of Romania - Note by the Secretariat
49	Enlargement of the Protocol - Collection of Basic Data - Progress Report by the Secretariat
49/Corr.1	Corrigendum
52	Collection of Basic Data - Progress Report by the Secretariat

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CPC/S/ Documents on which Action or Discussion of the Matter  
Appears to have been Completed

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Document No.	Title
<u>Committee of Participating Countries - Special Meetings</u>	
Symbol: CPC/S/	
1	Procedures for Accession to the Protocol Relating to Trade Negotiations Among Developing Countries - Note by the Secretariat
2	Summary of Discussion at First Meeting - 16 November 1973
3	Summary of Discussion at Second Meeting - 12 June 1974

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