

GENERAL AGREEMENT ON TARIFFS AND TRADE

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Committee on Trade in
Industrial Products

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PROCEDURE IN EXAMINATION OF NON-TARIFF BARRIERS

Suggestions by the United States

The representative of the United States has submitted the following suggestions concerning the work of the Committee on non-tariff barriers.

1. In response to the invitation in GATT/AIR/696 for suggestions on procedures and work programme for the Committee on Industrial Products, the United States puts forward the following suggestions for the initial phase of the Committee's deliberations. Many of these suggestions are merely restatements of those made orally. The United States envisages that the dialogue approach, agreed upon at December meeting, would take following lines. With a view to developing sound documentation, each type of non-tariff barrier (NTB) would be examined one after another orally and, as desired, be supplemented by questionnaires and written communications, the notifying country and others joining it would comment on each barrier or ask questions about it, particularly where trade is significantly affected. The country imposing the measure would answer the questions, explain the reasons for the measure, help assess the trade effects, and explain the possibilities for its elimination.
2. This first phase of the work should be confined to fact-finding. While each individual country may express its views, this Committee as whole would not draw conclusions nor would it consider negotiating possibilities on any particular barrier until the facts were developed on all aspects of the barrier.
3. To avoid duplication of effort or unnecessary work, barriers being handled by other groups (such as government procurement in the Organisation for Economic Co-operation and Development or border taxes in the GATT Working Party) or those having little or no effect on world trade would, after brief preliminary discussion, be set aside for the time being, subject to reconsideration by the Committee at appropriate time.
4. In addition to the report on OECD activities concerning government procurement, already suggested for circulation to the Committee, the GATT secretariat should report on status of non-tariff barrier work going on in other organizations.

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5. In order to avoid controversy and to get work under way, the United States suggests proceeding through the list in order presented in the inventory (COM.IND/6 and Addenda), although it is prepared to consider priorities or reconsider sub-groups. The Committee's work on Category 1 (government participation in trade) may give some indication as to whether sub-groups would be useful and may also reveal a need for more detailed or revised procedures.

6. As for barriers of less-developed countries, to the extent that import quotas and related measures are considered in balance-of-payments consultations, the Committee on Industrial Products should normally not duplicate this effort. Other types of non-tariff barriers of less-developed countries, however, should be included in the work of the Committee on Industrial Products.

7. Concerning government aids, the United States had expected that this topic would be set aside as being dealt with in separate GATT working party and accordingly did not include government aids in its initial submission for the inventory. The United States continues to believe that most progress can be made in a separate working party which would consider both agricultural and industrial subsidies, but terms of reference for such a working party have not been agreed. Accordingly, the United States suggests that it would be useful, during the 3-7 February meeting, for countries to make general presentations on government aids, possibly including some illustrative cases. Since few countries have submitted notifications, the discussion will have to be of preliminary character. The Committee might consider it desirable to develop a questionnaire on practices of contracting parties, during the initial meeting of the Committee.

8. Finally, with regard to the time-table, the United States agrees that it would be desirable to finish the initial examination of barriers promptly. It could envisage two more meetings before the summer recess, with the next meeting to be held toward the end of March or 1 April to permit governmental preparations go forward.