

**GENERAL AGREEMENT
ON TARIFFS AND TRADE**

RESTRICTED
TAR/Spec/9
6 December 1993

(93-2087)

Committee on Tariff Concessions

DRAFT REPORT OF THE COMMITTEE ON TARIFF CONCESSIONS

1. The Committee on Tariff Concessions, under the Chairmanship of H.E. Mr. E. Tironi Barrios (Chile) held two formal meetings, on 20 October and 6 December 1993.
2. The Committee pursued its examination of the status of implementation of the Harmonized Commodity Description and Coding System (Harmonized System) by the GATT contracting parties and noted that since the formal introduction of the Harmonized System on 1 January 1988, ninety-eight contracting parties, out of a total of 111, had decided to apply the Harmonized System. However, only twenty-one countries, plus the European Communities, had a certified schedule in the nomenclature of the Harmonized System. Some of these schedules were, moreover, incomplete and information related to the initial negotiating rights (INRs) and the legal instruments containing the concessions were still missing. The Committee regretted that very little progress had been made in this area and agreed to establish a programme of work on these matters after the Uruguay Round.
3. The Committee also noted that fifteen countries were presently under a waiver to carry out consultations and negotiations under Article XXVIII, after having implemented the Harmonized System. A new Geneva (1993) Protocol had been opened for the annexation of HS schedules, to which three countries had up to now attached their HS schedules. Delegations were urged to accelerate the process of ongoing negotiations and consultations in order to have their HS schedules approved and annexed to the Protocol. The Committee regretted that several contracting parties having a GATT schedule had implemented the Harmonized System without having followed GATT procedures (see Annex).
4. Following the adoption by the CONTRACTING PARTIES in October 1991 of a text containing the procedures for incorporating changes in the Harmonized System affecting GATT Schedules which came into force on 1 January 1992 (see document L/6905), the Committee noted that eleven delegations had submitted the notifications related to the HS changes in their schedules. These notifications were circulated in documents SECRET/HS/1 to 11. A collective certification had been prepared and accepted by ten delegations; one delegation still needed to have the changes in the schedule certified. Countries which had not yet notified the HS changes were urged to do so without further delay.

5. The Chairman reminded the Committee that substantial changes in the Harmonized System nomenclature would be introduced on 1 January 1996 and that procedures for the introduction of changes to the Harmonized System had been established in 1991 (document L/6905) and would serve as the basis for the preparation of the required documentation.

6. The Committee examined a Swedish proposal made on behalf of the Nordic countries (document TAR/W/88) related to the extension of waivers. The proposal suggested that the extension of current waivers be based on an understanding that the countries concerned would provide a full and detailed report, in writing, to the Committee on Tariff Concessions. The proposal foresaw that the Committee would hold, in due course, a full discussion on the basis of this report and forward it to the Council in advance of any request for additional extensions. Several delegations supported the proposal and stressed that the Committee was the proper forum to discuss this type of question. Other delegations claimed that any matter related to waivers under Article XXV:5 was the sole responsibility of the Council. Further discussion was held in the meeting of 6 December 1993.*

7. Concerning the submission of national tariffs, the Committee noted that following the requests forwarded by the Secretariat to the members that had not submitted their most recent national tariff, some progress had been achieved in the number of national tariffs received by the Secretariat. Those countries that had not yet done so were urged to make every effort to provide the Secretariat with a copy of their most recent tariff.

*[This report will be completed in the light of the discussion at the meeting of the Committee to be held on 6 December].

ANNEX

<u>Country</u>	<u>Date of introduction of HS</u>
Benin	1 January 1992
Burkina Faso	1 January 1992
Côte d'Ivoire	1 January 1992
Dominican Republic	1 July 1993
Guatemala	1 March 1993
Haiti	1 January 1990
Madagascar	1 January 1988
Mauritania	1 January 1988
Myanmar	1 April 1992
Niger	1 January 1992
Nigeria	15 March 1988
Rwanda	1 January 1992
South Africa ¹	1 January 1988

¹HS documentation submitted, but HS schedule not yet certified.