

BRIDGWAY

U R U G U A Y

Statement of contribution

Statement on position with respect to meat

SECRETO

ORIGINAL

DELEGACION DEL URUGUAY
EN EL G. A. T. T.

~~DELEGATT-132-II.1~~

Ginebra, 25 de noviembre de 1965.

Señor Director General:

Con referencia a mi nota nº DELEGATT-48-I. de 22 de abril de 1965, me dirijo a Vd. con motivo de formular las ofertas uruguayas en la Rueda Kennedy, a fin de hacerle conocer determinadas aspiraciones y ventajas que ofrece el Uruguay, en esta oportunidad.

Con este motivo, consigno en la presente comunicación el hecho de que el objetivo que persigue la Rueda Kennedy es la liberalización y la expansión del comercio; recuerdo el contenido de la Resolución aprobada por la Reunión de Ministros el 6 de mayo de 1964, en el sentido de que la contribución de los países menos desarrollados al objetivo general de liberalización del intercambio deberá ser visto en función de las necesidades del desarrollo y del comercio de estos países y que los países desarrollados no deben esperar recibir plena reciprocidad de parte de los países menos desarrollados; y hago referencia a las disposiciones del párrafo 4 del Artículo XXXVII de la Parte IV del Acuerdo General.

Consigno la intención del Uruguay de estudiar y negociar, con otros países menos desarrollados que así lo deseen, medidas destinadas a ampliar el comercio entre ellos, como parte de su contribución a los objetivos de la Conferencia de Negociaciones Comerciales, de acuerdo con las normas de participación de los países menos desarrollados.

Deseo recordar que el Uruguay mantiene un régimen de importación muy favorable para los proveedores extranjeros de bienes de capital así como para la importación de numerosas ma-

Al señor Director General
del Acuerdo de Aranceles Y Comercio,
Don Eric Wyndham-White

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SECRET

DELEGACION DEL URUGUAY
EN EL G. A. T. T.

DELEGATT-132-II.1 (2)

terias primas, puesto que se admite el ingreso con exención de los derechos de aduana, de una larga e importante serie de productos correspondientes a las categorías indicadas.

También cabe expresar que la Ley de Reforma Cambiaria y Monetaria de 17 de diciembre de 1959 consagra el principio de la libertad de importación, según lo establece su artículo 2.

En estas condiciones, no debe extrañar que el Uruguay mantenga una sostenida corriente de importaciones de productos procedentes del exterior, que - tan solo alterada en determinadas oportunidades por las exigencias de la balanza de pagos - asegura el acceso regular y a veces predominante a su mercado, con una importante participación en los incrementos del consumo, de los productos y bienes procedentes del exterior.

A tal punto ha seguido el Uruguay una política liberal de importación, que en el período 1959/1964 acumuló un déficit de balanza comercial de más de U\$S 300 millones, que le ha aparejado significativos problemas en el plano de sus relaciones económicas externas.

El contenido de la presente comunicación debe ser visto, por otra parte, en función del estado actual de la balanza de pagos uruguaya, tal como se desprende de la consulta recién realizada con el Comité de Balanza de Pagos (ver documentos L/2503 y L/2504).

Se considera, pues, que esta política liberal del Uruguay y sus resultados beneficiosos para todas las demás partes contratantes, debe ser tomada en cuenta plenamente, a los fines de avaluar la contribución uruguaya al logro de los fines fijados para la Rueda Kennedy, como también el hecho de que al negociar su ingreso al GATT en 1949 y 1950/51 mi país no estuviera en condiciones de aprovechar los criterios de reciprocidad relativa de parte de los países menos desarrollados que se han aprobado desde entonces y por lo tanto compensara plenamente las concesiones recibidas.

DELEGATT-132-II.1 (3)

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Sobre este particular, debe agregarse que el Uruguay aceptó, para productos importantes, los beneficios indirectos derivados de la aplicación de la cláusula de la nación más favorecida del Acuerdo General, mientras que los retribuyó con beneficios directos que surtieron el efecto de alargar su propia lista de concesiones.

Interesa recordar también, que en general los derechos de aduana cobrados en el Uruguay son, a menudo, muy bajos y que el hecho de que los reajustes de los aforos de importación (consolidados o no consolidados en el GATT) se realicen siempre con un atraso considerable sobre la evolución del valor de la moneda, tiende a mantener los gravámenes efectivamente cobrados, por debajo de los niveles previsibles.

Desde 1961, el Uruguay realiza una intensa gestión de recurso al Art. XXIII y, como es sabido, las PARTES CONTRATANTES han tenido ocasión de pronunciarse con respecto a distintas situaciones de desventaja que se les han creado a las exportaciones uruguayas en distintos mercados, estableciéndose los hechos con la precisión suficiente como para que el Uruguay pueda solicitar la autorización prevista en el mencionado artículo con miras a aplicar medidas restrictivas de efecto equivalente, a los productos importados de los países en cuestión. El hecho de que el Uruguay no se haya valido de este derecho hasta ahora, constituye otro aporte a las finalidades de las presentes negociaciones.

También se ofrece mantener la consolidación de los renglones equivalentes a los perjuicios actualmente sufridos por el Uruguay por el no cumplimiento de las disposiciones del GATT (inclusive, la anulación y el menoscabo de concesiones arancelarias anteriormente pactadas) según fluye de las conclusiones alcanzadas con motivo del recurso al Art. XXIII.

Como contribución adicional, se ofrece la reconsolidación de los rubros detallados en anexo que el Uruguay ha quedado en libertad de retirar de su lista en cualquier momento, como conse-

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~~SECRET~~

- 4 -

DELEGACION DEL URUGUAY
EN EL G. A. T. T.

DELEGATT-132-II.1 (4)

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cuencia de la Conferencia Tarifaria de 1960/1962 (ver documento L/2029).

Finalmente se están estudiando cuidadosamente las sugerencias formuladas por distintos países participantes en la Rueda Kennedy, que le han dirigido proposiciones al Uruguay sobre la forma en que - a su juicio - podría contribuir al logro de las finalidades que se persigue en esta negociación, con miras a determinar cuáles de esas medidas pueden ser adoptadas.

Con respecto a lo que el Uruguay espera recibir como beneficio de la Rueda Kennedy, me remito a los términos del oficio DELEGATT-II-I-75, cursado al señor director General el 9 de julio de 1964 en el que se formulan distintas indicaciones concretas acerca de los productos y las mejoras que le interesan al Uruguay. Por ahora, las listas de excepciones presentadas por varios países indican que será menester modificarlas substancialmente para dar satisfacción a los deseos expuestos en esa nota.

Por otra parte, el estado incipiente de las labores de los Grupos de Trabajo de Cereales, Carnes y Productos Lácteos no permite formarse idea de los resultados que se podrán alcanzar en sectores a los que atribuimos tan alto significado.

Asimismo, ratifico el concepto - expuesto repetidas veces, con el aporte adecuado de elementos de juicio - de que es menester alcanzar en todos los mercados, la debida aplicación del tratamiento para la importación de los productos agropecuarios que prevé el Acuerdo General y que, al no tener la debida vigencia, sigue perjudicando la exportación uruguaya.

La exportación uruguaya es primordialmente de origen agropecuario y, por consiguiente, el valor básico de la Rueda Kennedy para mi país se determinará en ese sector. No obstante, existen determinadas otras exportaciones que revisten importancia creciente (p.ej. lanas y cueros en sus distintas formas) que serán igualmente fundamentales a los fines de la valoración de estas negocia-

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documentos
7/16/64/LBC/T

DELEGACION DEL URUGUAY

G.A.T.T.

DELEGATT-132-II.1 (5)

SECRET

- 5 -

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November 25, 1954

Me valgo de la oportunidad para saludar al señor Director General con mi alta y distinguida consideración.

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DELEGATION OF URUGUAY
TO THE GATT

SECRET

Unofficial translation

Original: Spanish

Geneva, 25 November 1965

Sir,

With reference to my note of 22 April 1965 (ref. DELEGATT-48-I) I am writing to present Uruguay's offers in the Kennedy Round in order to inform you of certain objectives and advantages offered by Uruguay on this occasion.

Accordingly, I wish to record in this communication that the objective of the Kennedy Round is trade liberalization and expansion; I recall the contents of the resolution adopted by the ministerial meeting on 6 May 1964, to the effect that the contribution of the less-developed countries to the overall objective of trade liberalization should be considered in the light of the development and trade needs of these countries, and that the developed countries cannot expect to receive reciprocity from the less-developed countries; I also refer to the provisions of Article XXXVII, paragraph 4 of Part IV of the General Agreement.

I wish formally to state Uruguay's intention to study and negotiate, with other less-developed countries which so desire, measures designed to expand trade between them as part of its contribution to the objectives of the Trade Negotiations Conference, in accordance with the plan for the participation of the less-developed countries.

I wish to recall that Uruguay maintains a very favourable import régime for foreign suppliers of capital goods as well as for many primary products, since a large and substantial series of products in these categories are admitted duty free.

It should also be stated that the Exchange and Monetary Reform Act of 17 December 1959 recognizes the principle of import liberalization as established in Article II thereof.

In these conditions, it cannot be denied that Uruguay maintains a steady flow of imports from other countries which, being only affected at various times by balance-of-payments requirements - assures regular and predominant access to its markets, with an important share in any consumption increase, for products and goods from third countries.

Indeed, Uruguay has followed such a liberal import policy that over the period 1959/1964 it accumulated a trade deficit of more than US\$300 million, causing significant problems in the field of its external economic relations.

On the other hand, the contents of this communication should be viewed in relation to Uruguay's present balance-of-payments situation which was examined in the recent consultation with the Balance-of-Payments Committee (see documents L/2503 and L/2504).

It should next be considered that this liberal policy on the part of Uruguay and its beneficial effects for all other contracting parties should be fully taken into account, in order to evaluate Uruguay's contribution to the objectives of the Kennedy Round, as should also the fact that when my country negotiated with a view to acceding to GATT in 1949 and 1950/51, it was not in a position to invoke the criteria of relative reciprocity for less-developed countries which have been approved since then and accordingly gave full compensation for the concessions received.

In this regard, it should be added that on some important products Uruguay accepted the indirect benefits deriving from application of the most-favoured-nation clause of the General Agreement, in exchange for direct benefits which had the effect of extending its own schedule of concessions.

It is also of interest to note that, in general, the customs duties charged by Uruguay are often very low, and that readjustments in import aforos (whether or not bound under GATT) are frequently made with a considerable time-lag in relation to the trend in the currency value, thus tending to maintain the charges actually levied at a rate lower than what might have been foreseen.

Since 1961, Uruguay has been engaged in extensive recourse to Article XXIII and, as is well-known, the CONTRACTING PARTIES have had occasion to give their opinion with regard to various disadvantageous situations which have affected Uruguay's exports to certain markets, and the facts have been established with sufficient precision for Uruguay to request the authorization provided for in that Article with a view to applying restrictive measures having equivalent effect on products imported from the countries in question. The fact that Uruguay has not so far availed itself of this right constitutes a further contribution to the objectives of this negotiation.

A further offer is to maintain the binding on items equivalent to the damage at present suffered by Uruguay on account of failure to comply with the General Agreement (including the nullification or impairment of tariff concessions previously granted) in accordance with the conclusions reached in connexion with the recourse to Article XXIII.

By way of an additional contribution, we offer a rebinding on the items specified in the Annex which Uruguay was at liberty to withdraw from its schedule at any time, as a result of the 1960-62 Tariff Conference (see document L/2029).

Lastly, a careful examination is being made of the suggestions of certain countries participating in the Kennedy Round which have made proposals to Uruguay as to how - in their opinion - it could contribute towards achieving the objectives of these negotiations, with a view to determining which of those measures can be adopted.

As regards what Uruguay hopes to receive from the Kennedy Round, I wish to refer to the terms of our communication of 9 July 1964 to the Director-General (ref. DELEGATT-II-I-75) (document TN.64/IDC/7) in which specific indications were given concerning products and improvements which were of interest to Uruguay. Now, however, the exceptions lists presented by various countries show that substantial modifications would have to be made in them in order to meet the desires expressed in this communication.

Furthermore, the work of the Groups on Cereals, Meat and Dairy Products is still in the early stages, so that it is impossible to form an idea of the results which might be reached in sectors to which we attribute such great significance.

I also wish to confirm the idea - which has already been expressed on repeated occasions, with full substantiation - that it is essential to ensure that, in all markets, imports of agricultural products receive the proper treatment provided for in the General Agreement for if due account is not taken of this, Uruguay's exports continue to be impaired.

Uruguay's exports are mainly agricultural and consequently the basic value of the Kennedy Round for my country lies in this sector. Nevertheless, there are certain other exports which are of growing importance (e.g. wool, and leather in various forms) and these will also be fundamental for evaluating the results of these negotiations.

Accept, Sir, the renewed assurances of my highest consideration.

POSITION OF URUGUAY WITH RESPECT TO NEGOTIATIONS
ON MEAT IN THE KENNEDY ROUND

At the stage of work on which the Group on Meat of the GATT Trade Negotiations Conference is now embarking, the delegation of Uruguay wishes to state its position which is to endeavour to attain the objectives before us and to confirm the views already expressed by Uruguay on earlier occasions.

First of all, the Uruguayan delegation reaffirms the statements made at the Ministerial Meeting in May 1963 and at subsequent meetings of the Group on Meat but wishes to recall that, at those meetings, it specifically raised the question whether it would not be possible to solve the problems of the world market for meat by means of stricter application of the provisions of the General Agreement, without any need for recourse to a general arrangement on meat.

1. Uruguay considers that, in considering the problem, one must bear in mind the practical repercussions on the work of the Group on Meat of the conclusions unanimously adopted at the Ministerial Meeting on 21 May 1963 in regard to the standstill to apply to export products identified as of particular interest to developing countries (bovine meat, so far as Uruguay is concerned), and to the agricultural negotiations.

In addition, the standstill provision has been written into the new Part IV of the General Agreement, in Article XXXVII:1(b).

So far as their practical application to the negotiations of the Group on Meat is concerned, these provisions mean - so far as Uruguay is concerned, for example - that in the formulation of practical solutions, the starting point should be for each participating country, a situation no less favourable for supplying countries than that in force on 21 May 1963.

2. The proper observance of the provisions of the General Agreement is another fundamental basis of the negotiations. In other words, any régimes or practices now in force which are not in conformity with the provisions of the General Agreement are not strictly speaking negotiable and must be amended in the course of the negotiations by the countries resorting to them, as a unilateral measure.

3. It is clear that Uruguay applies the General Agreement in its meat import trade (to the extent that such trade can exist in a country which is a traditional exporter and is particularly favourably placed to compete in regard to qualities and prices) and that it is prepared to continue to apply the General Agreement, as a specific contribution to attainment of the objectives of the Group on Meat. In addition, it will gladly examine any request made by any country interested in supplying bovine meat to the Uruguayan market.

4. Coverage of the arrangement on meat

Any arrangement of this kind should, as a minimum, cover live cattle and fresh, chilled, frozen, salted and dried meat because of the obvious and well-known interrelation existing between these products so far as trade is concerned.

5. Agricultural policies

Article XVI, Section A, paragraph 1 of the General Agreement states clearly that countries which impede access to their own market by applying subsidies must examine the possibility of limiting them in the light of the observations made by interested supplying countries. In accordance with Article XVI, countries which subsidize their cattle production should, before the negotiation, notify the extent and nature of the subsidization. Likewise, adequate rules should be established for the implementation of Part B of Article XVI so as to ensure that efficient producers do not suffer any harmful effects on account of subsidized exports.

6. Access

This point is related to the preceding one. In accordance with the conclusions adopted by the Ministers on 21 May 1963, the Group on Meat is expected to define acceptable conditions of access to world markets in furtherance of a significant development and expansion of world trade in this product.

Here again, the starting point cannot be anything but proper application of the provisions of the General Agreement.

Access to markets must, in every case, be growing and must enable efficient producers to have an adequate share in any consumption increase. Access to markets must offer all necessary guarantees with respect to regularity, and all occasional or unexpected obstacles which slow down and discourage competition must be avoided.

7. International prices

Any solution that might be adopted with respect to international prices must be related with access, must offer guarantees of stable and remunerative prices and must, in addition, make it possible to avoid excessive fluctuations in world markets.

8. Supply guarantees

These should be established in relation with the solutions reached in regard to conditions for access.

9. Miscellaneous

- (a) The solutions reached must be of a global character, regardless of regional arrangements.
- (b) The solutions adopted in the Group on Meat should not in any way affect the field of application of the General Agreement.

POSITION DE L'URUGUAY A L'EGARD DE LA NEGOCIATION SUR LA VIANDE
(NEGOCIATIONS KENNEDY)

Devant la phase des travaux qu'aborde maintenant le Groupe de la viande du Comité des négociations commerciales du GATT, la délégation uruguayenne définit ci-après sa position, qui est de s'efforcer d'atteindre les objectifs fixés, et confirme les points de vue qu'elle a déjà exposés à plusieurs reprises.

Tout d'abord, la délégation uruguayenne souscrit aux déclarations faites à la réunion de ministres de mai 1963 et aux réunions ultérieures du Groupe de la viande, mais rappelle que, lors de ces réunions, elle a déjà posé de façon concrète la question de savoir s'il ne serait pas possible de résoudre les problèmes du marché mondial de la viande par une application plus rigoureuse des dispositions de l'Accord général, sans avoir à recourir à un accord ou à un arrangement général sur la viande.

1. L'Uruguay estime que, dans l'examen du problème, on ne peut omettre de tenir compte des incidences pratiques que doivent avoir sur les travaux du Groupe de la viande, les conclusions adoptées à l'unanimité à la réunion ministérielle du 21 mai 1963 au sujet du maintien du "statu quo" pour les articles d'exportation qui présentent une importance particulière pour les pays en voie de développement (la viande bovine pour l'Uruguay), et les négociations sur l'agriculture.

D'autre part, l'article XXXVII, paragraphe 1, alinéa b) de la Partie IV de l'Accord général a donné un caractère encore plus formel à la règle relative au maintien du statu quo.

Appliquées aux négociations du Groupe de la viande, ces dispositions signifient pratiquement (en ce qui concerne l'Uruguay par exemple) que l'on devrait, pour élaborer des formules concrètes, prendre pour point de départ une situation qui, pour chaque pays participant, ne devrait en aucun cas être moins favorable aux fournisseurs que celle qui régnait le 21 mai 1963.

2. L'application exacte des dispositions de l'Accord général constitue une autre base fondamentale de la négociation. Autrement dit, les régimes ou pratiques actuellement en vigueur qui ne sont pas conformes aux dispositions de l'Accord général ne sont pas à proprement parler négociables et doivent être modifiés au cours de la négociation et unilatéralement par les pays qui y recourent.

3. Il est manifeste que l'Uruguay applique l'Accord général à son commerce d'importation de viande (dans la mesure où ce commerce peut exister dans un pays qui est traditionnellement exportateur et se trouve dans une situation particulièrement avantageuse pour affronter la concurrence sur le plan de la qualité et des prix) et qu'il est disposé à continuer d'appliquer l'Accord général, à titre de contribution concrète à la réalisation des objectifs du Groupe de la viande. D'autre part l'Uruguay étudiera bien volontiers toute demande formulée par un pays désireux de lui livrer de la viande bovine.

4. Produits qui feront l'objet de l'arrangement sur la viande

Tout arrangement éventuel de cette nature devra viser au minimum les bovins sur pied et la viande fraîche, réfrigérée, congelée, salée et séchée, étant donné les rapports évidents et notoires qui existent entre ces produits dans le commerce.

5. Politiques agricoles

L'article XVI, Section A, paragraphe 1 de l'Accord général dispose clairement que les pays qui gênent l'accès à leur marché en appliquant des subventions, sont tenus d'examiner la possibilité de les limiter en fonction des observations que leur présentent les pays fournisseurs intéressés. Les pays qui subventionnent leur production bovine devront, conformément à l'article XVI, faire connaître, avant la négociation, l'importance et la nature de leurs subventions. De même, il sera nécessaire de fixer des règles adéquates pour l'application de la partie B de l'article XVI, de manière que les producteurs aptes ne subissent pas un préjudice du fait des exportations subventionnées.

6. Accès

Cette question se rattache à la précédente. Selon la conclusion adoptée par les ministres le 21 mai 1963, le Groupe de la viande doit définir des conditions acceptables d'accès aux marchés mondiaux en vue d'un développement et d'une expansion significatifs du commerce mondial de ces produits.

Ici encore, le point de départ ne peut être que l'application exacte des dispositions de l'Accord général.

L'accès aux marchés devra, en tout cas, être de plus en plus large et permettre aux fournisseurs aptes de participer de façon adéquate à l'expansion de la consommation. L'accès aux marchés devra comporter toutes les garanties nécessaires de régularité, tous obstacles occasionnels ou inattendus qui freinent et découragent la concurrence devant être évités.

7. Prix internationaux

Toute formule qui serait adoptée en matière de prix internationaux devra être liée à l'accès aux marchés, offrir des garanties de prix rémunérateurs et stables et, en outre, permettre d'éviter les fluctuations excessives sur les marchés mondiaux.

8. Garanties d'approvisionnement

Elles devront être établies en fonction des solutions adoptées en matière de conditions d'accès.

9. Divers

a) Les solutions adoptées devront être globales, sans égard aux arrangements régionaux.

b) Les formules qui seront adoptées au Groupe de la viande ne devront avoir aucune incidence sur la portée des dispositions de l'Accord général.