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GENERAL AGREEMENT ON TARIFFS AND TRADE

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TARIFF NEGOTIATIONS WITH BRAZIL

Tariff Negotiations Committee

PROCEEDINGS OF THE TWELFTH MEETING

Held at the Palais des Nations, Geneva
on Thursday, 10 July 1958 at 11 a.m.

Chairman: Mr. FINN GUNDELACH (Denmark)

- Subjects discussed:
1. Progress of the negotiations
 2. Provisional effect given to concessions already completed
 3. Legal instruments to embody the results of the negotiations
 4. Extension of time-limit in Decision of 16 November 1956
 5. Date of next meeting

1. Progress of the negotiations

The Chairman recalled that it had been agreed in principle that negotiations would terminate about the middle of July in order that the legal instruments could be prepared and signed by the end of the month. The United States had reserved their position on this time-table and it now appeared that they did not expect their negotiations with Brazil to be concluded until some time later. The consequence of this postponement was that prompt action would have to be taken to extend the time limit, provided for in the Decision of 16 November 1956, within which Brazil would be required to put into effect the results of the negotiations. This limit expired on 14 August 1958 and the Committee would have to recommend an extension to the Intersessional Committee. The Intersessional Committee was authorized to take such action by a Decision of the CONTRACTING PARTIES of 18 October 1957 (SR.12/2).

The Representative of the United States confirmed that his Government could not complete the negotiations in July. They were still awaiting some information from Brazil on one point; moreover, once agreement had been reached at delegation level a certain amount of time would be required for review of these results by the competent organs in Washington. He did not think therefore that they would be able to complete the whole process until some time in September.

The representative of Brazil indicated that negotiations had been completed with Austria, Czechoslovakia, Finland, France, Italy, Norway and Sweden; negotiations with other contracting parties were still in progress.

2. Provisional effect given to concessions already completed

The representative of Brazil informed the Committee that his Government was prepared to give effect as soon as possible to the results of the negotiations which had up to now been completed, without waiting for the completion of all the negotiations involved. They had agreed bilaterally with the other interested contracting parties involved that if the latter were not proceeding with all withdrawals of concessions, Brazil could put the results into effect by administrative action. The results of each bilateral negotiation would be communicated to the Executive Secretary for distribution to contracting parties under cover of a letter in which Brazil declared itself ready to take such action.

3. Legal instruments to embody the results of the negotiations

Since it was clear that the negotiations would not be completed until September the Chairman suggested that the discussion of the legal instruments which would embody the results of the negotiations be postponed until the latter part of September when they could perhaps be examined in connexion with the meeting of the Intersessional Committee.

4. Extension of time-limit in Decision of 16 November 1956
(Basic Instruments and Selected Documents, Fifth Supplement, page 36)

After a prolonged discussion in which the merits of an extension until the middle of the Thirteenth Session were weighed against those of an extension to 31 July 1959, as requested by Brazil, the Committee agreed to the Brazilian request and decided to recommend to the Intersessional Committee that the date be so extended. The Chairman of the Tariff Negotiations Committee, however, wished to make it clear that this extension of the time-limit was in no way to be taken as reason for delay in the conclusion of bilateral negotiations: he in fact firmly hoped that the negotiations would be completed in time for the report required by the Decision of 16 November 1956 to be presented to the Thirteenth Session of the CONTRACTING PARTIES. In the course of this discussion it was made clear that independently of the putting into force of the results of the negotiations by administrative action it was no less necessary that these results be embodied in an instrument which could be submitted for Parliamentary approval and which would constitute, once it entered into force, the authentic text of the results of the negotiations.

5. Date of next meeting

The Committee agreed to ask the Chairman to call the next meeting at his discretion when all negotiations had reached a point where it would again be appropriate to resume the discussion on the legal instruments.