

GENERAL AGREEMENT ON
TARIFFS AND TRADE

INITIAL NEGOTIATING RIGHTS

Note by the Secretariat

1. In several Articles of the General Agreement reference is made to contracting parties with which tariff concessions were initially negotiated. Such references appear in various paragraphs of Article XXVIII and also in Articles XVIII, XXIV and XXVII. In respect of concessions negotiated in the Multilateral Trade Negotiations this may cause difficulties as for most of such concessions no initial negotiator is specified.
2. After the conclusion of the 1964-1967 Trade Conference, where the same question arose, the CONTRACTING PARTIES adopted rules concerning initial negotiating rights, which are reproduced in BISD, 15th Supplement, page 67.
3. It would seem advisable that the CONTRACTING PARTIES take a similar decision concerning concessions negotiated in the Multilateral Trade Negotiations. The following text is suggested for adoption by the CONTRACTING PARTIES:

"In respect of the concessions specified in the Schedules annexed to the Geneva (1979) Protocol to the General Agreement on Tariffs and Trade and the Protocol Supplementary to the Geneva (1979) Protocol, a contracting party shall, when the question arises, be deemed for the purposes of the General Agreement to be a contracting party with which a concession was initially negotiated if it had during a representative period prior to the time when the question arises a principal supplying interest in the product concerned."