

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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REPORT (1986) OF THE GROUP ON QUANTITATIVE RESTRICTIONS AND OTHER NON-TARIFF MEASURES

1. The Group's mandate and terms of reference, agreed by Ministers in November 1982, were as follows:
 - (i) To review existing quantitative restrictions and other non-tariff measures, the grounds on which these are maintained, and their conformity with the provisions of the General Agreement, so as to achieve the elimination of quantitative restrictions which are not in conformity with the General Agreement or their being brought into conformity with the General Agreement, and also to achieve progress in liberalizing other quantitative restrictions and non-tariff measures, adequate attention being given to the need for action on quantitative restrictions and other measures affecting products of particular export interest to developing countries; and
 - (ii) To make progress reports to the Council. The Group's complete report containing its findings and conclusions should be available for consideration by the CONTRACTING PARTIES at their 1984 Session.
2. The Group presented reports to the CONTRACTING PARTIES in 1984 and 1985 (L/5713 and L/5888 respectively).¹ At their 41st Session last year the CONTRACTING PARTIES instructed the Group "to oversee implementation of the Ministerial Mandate and the recommendations of the Group, to keep the Council informed of progress made and to present a report containing its findings and conclusions to the CONTRACTING PARTIES at their 1986 Session" (BISD, 32S/12). The recommendations of the Group have been brought together in a note by the secretariat (NTM/W/15).
3. The Group has agreed to have before it documentation that is complete as to product coverage. It has also agreed to avoid duplicating work carried out in other GATT bodies, e.g. in the areas of agriculture and of textiles covered by the MFA, while reserving the right to re-examine this approach in the light of developments in these bodies (NTM/4, paragraphs 16 and 20). This has meant in practice that the Group's work has concentrated on restrictions on industrial products other than textile restrictions covered by the MFA.
4. The Group had agreed that the list of products of export interest to developing countries (NTM/W/17, Annex 1) would be taken into account at each stage of its work (L/5713, paragraph 8).

¹ See BISD, 31S/211 and 32S/91 respectively.

5. The Group met on 21 March, 7 July and 1, 24 and 27 October 1986 under the Chairmanship of Ambassador M. Huslid (Norway). A full account of points made will be found in NTM/15 to 17. On 15 July the Chairman made a progress report to the Council (C/M/201, page 19).

6. This report is organized as follows:

A. Multilateral Review of the Documentation

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A. Multilateral Review of the Documentation

7. As agreed by the CONTRACTING PARTIES, the Group held the first of its two-yearly multilateral reviews of:

- (i) the accuracy and adequacy of the documentation;
- (ii) grounds on which measures are maintained and their conformity with the General Agreement (L/5713, paragraphs 44(e) and 65(e); L/5888, paragraph 12).

8. The basic documentation for the review is contained in:

- NTM/W/6/Rev.3. Information on quantitative restrictions supplied by the CONTRACTING PARTIES maintaining them. Detailed information is included in the tables; general information is included in the country notes.
- Sections A, B, C, E and G of NTM/INV/IV, plus addenda 1-11 and Corr.1. Information on quantitative restrictions contained in the Inventory of Non-Tariff Measures (Industrial Products), which is based on notifications by contracting parties affected by the measures in question.
- Remaining sections of NTM/INV/I-V, plus addenda 1-11 and Corr.1. Information on other non-tariff measures contained in the Inventory.
- AG/FOR/- series. Agricultural inventories.

9. The secretariat also prepared a number of analyses of the basic documentation on its own responsibility (NTM/W/17 and Corr.1, Add.1 and 2, and Add.2/Corr.1). These included, for the first time, a unified analysis of the basic documentation designed to give a clearer overall picture on a country-by-country basis (NTM/W/17, Add.2 and Add.2/Corr.1). The documentation available to the Group, as well as the analyses made of it by the secretariat will be of great value in further work which will have to be conducted on quantitative restrictions and other non-tariff measures, as a result of the Ministerial Declaration adopted at Punta del Este.

I. Basic documentation on quantitative restrictions

10. The Group noted that the basic documentation on quantitative restrictions - NTM/W/6/Rev.3 - aimed to provide full information on restrictions maintained by all contracting parties as at 1 July 1986¹, and one country which has acceded provisionally by that date. A summary of the information in that document or supplied since is contained in Annex 1 to this report. The Annex shows that:

- six contracting parties have not supplied any information;
- six have stated that they maintain no quantitative restrictions;
- fifty-four have supplied detailed information on all product sectors;
- three have supplied detailed information on certain product groups only;
- the remaining twenty-three have supplied information of a non-specific nature only.

The sixty contracting parties which have stated either that they have no restrictions or have supplied specific information on all product sectors account for a very large percentage of trade of all contracting parties (97.6 per cent).

11. In its 1985 Report, the Group had recommended that contracting parties make full and detailed notifications of quantitative restrictions which they maintain to the Group every two years beginning in 1986 (L/5888, paragraph 54(b)). It will be seen from Annex 1 that 21 contracting parties plus the European Economic Community made notifications to the Group in accordance with this recommendation. In addition, a number of contracting parties have recently made notifications to other GATT bodies, in particular the Balance of Payments Committee, bringing the total of contracting parties notifying in 1985 or 1986 to 35. Annex 1 gives further information about the dates on which contracting parties last made notifications on quantitative restrictions. During the review of the documentation, it was suggested that delegations communicate to the secretariat any specific changes which they wished to be made to the documentation before the Group.

¹Mexico, which became a contracting party on 24 August 1986, provided full information on its quantitative restrictions to the Working Party dealing with its accession (GATT/AIR/2240/Add.4).

12. The Group noted that the products listed as being of export interest to developing countries (NTM/W/17, Annex 1) were clearly identified in the NTM/W/6/- documentation. The allocation of tariff heading numbers (CCCN) to notifications in the Inventory of Non-Tariff Measures (Industrial Products) had made a significant contribution to identifying measures of interest to developing countries.

13. In 1984 the Group recommended that notifications contain a full description of the products and tariff lines (or parts of tariff lines) affected, together with the relevant heading or sub-heading in the customs tariff concerned and, in cases in which this is not based on the Customs Co-operation Council Nomenclature, the corresponding CCCN heading (L/5713, paragraph 44(a)(i)). The Group noted that of the fifty-eight countries for which detailed information was available on some or all product sectors:

- only six had supplied all their information at tariff-line level;
- twenty-eight had supplied only some of their information at tariff-line level;
- twenty-two had supplied information at the four-digit CCCN level only;
- one had supplied information in its national nomenclature only.

14. In its 1985 Report, the Group had recommended that the measure symbols contained in the Annex be used in future notifications to the Group and other relevant GATT bodies (L/5888, paragraph 7). The Group noted that, of the fifty-eight countries for which detailed information was available

- sixteen used the revised list of symbols in notifications made in time for inclusion in NTM/W/6/rev.3;
- twelve have supplied this information since that time; and
- thirty did not.

Some delegations said that truly automatic import licensing procedures should not be considered as a quantitative restriction, and that notifications to the Group should cover State-trading operations, only if these were used to implement quantitative restrictions.

15. The Group noted that for most contracting parties there were, in the Inventory of Non-Tariff Measures (Industrial Products) (NTM/INV/IV.A,B,C,E,G), reverse notifications of quantitative restrictions maintained by them but not included in their NTM/W/6/Rev.3 notifications (see NTM/W/17, Annexes 3 and 14). They included a significant number of measures affecting imports from certain contracting parties only. Some delegations said that these measures might not have been notified by the maintaining country government because it did not consider that they were quantitative restrictions.

16. The Group then began to review the grounds and GATT conformity of quantitative restrictions notified in NTM/W/6/Rev.3 by governments maintaining the measures.

17. Some contracting parties had given specific historic, economic and socio-cultural grounds for the maintenance of their quantitative restrictions. However, other contracting parties held the view that these considerations were irrelevant. They said that these were not justifications recognized by the General Agreement and that, if the Group were to fulfill its mandate, it would have to go on to identify measures which were not in conformity with the General Agreement.

18. The principal GATT provisions advanced as justifying the maintenance of quantitative restrictions were: Articles XI, XVIII:B and C, XIX, XX, XXI, XXV waivers, the Protocol of Provisional Application and Protocols of Accession. However, in some cases a GATT provision, such as Article XX, had been cited, but not the relevant paragraph or sub-paragraph of that provision.

19. The Group also noted that questions had been raised as to whether some other GATT provisions could constitute a justification for the maintenance of quantitative restrictions, for example: Articles II, VIII, XIII, XVII, XXIV, the Agreement on Import Licensing Procedures. The Group noted that the grounds cited by some contracting parties would imply that action should be taken under one or other GATT provision, e.g. Article XVIII:B and C (NTM/W/17, Annex 9).

20. However, in some cases, no GATT provisions had been cited (see NTM/W/17, Annex 8). It noted that in line with its decision in the 1984 multilateral review, the mention "No GATT Article/Provision cited" appeared in Column 6 of the NTM/W/6/- documentation against measures on non-textile industrial products for which no justification had been given in terms of the GATT. In the areas of agriculture and textiles, where no GATT article or provision had been cited, column 6 of the NTM/W/6/- documentation had been left unfilled (see L/5713, paragraph 21). One delegation made some comments on the country note on the European Communities which is contained in NTM/W/6/Rev.3. These comments and the Communities' response to them will be reflected in the secretariat's note on the meeting.

21. The Group recalled its previous discussions on the identification of measures maintained contrary to the provisions of the General Agreement (1984 Report, L/5713, paragraphs 22-25). The Group noted that positions on this issue had not changed since that time. In particular, some delegations stated that all quantitative restrictions for which no GATT Article/Provision was cited should be presumed to be contrary to the GATT unless an acceptable GATT justification was produced by the government maintaining the measure, while other delegations saw difficulties with such an absolute differentiation between measures in the absence of complete information on the nature and justification of all existing restrictions. During the discussion, many delegations said that under its mandate the Group was expected to make findings and conclusions which would enable the CONTRACTING PARTIES to pronounce on this subject. Some delegations said that if delegations wished to pursue this matter, the appropriate GATT procedures were available to them. The Group noted that full information on this subject will be important in the context of the commitments undertaken recently by the CONTRACTING PARTIES, with respect to standstill and rollback. Many delegations said in this respect that quantitative restrictions for which no GATT justifications were advanced, should constitute prime fields for action. Other delegations drew attention to the specific terms of the standstill and rollback commitments in the Punta del Este Declaration.

22. In its 1985 Report, the Group had recommended that future notifications should give an assessment, to the extent possible, of the trade effects of quantitative restrictions notified (L/5888, paragraph 8). The Group noted that only one contracting party had attempted to assess the trade effects of the quantitative restrictions which it maintains.

II. Basic Documentation on Non-Tariff Measures

23. Turning to the adequacy and accuracy of the documentation on non-tariff measures, the Group recalled that in its 1985 Report, it had recommended that both the governments which have made notifications and governments maintaining the measures should provide comments designed to ensure that, where appropriate, notifications in the Inventory of Non-Tariff Measures (Industrial Products) are deleted or suitably modified or supplemented, and that each of the notifications in the Inventory contain:

- (i) an indication of the precise nature of the measure;
- (ii) where applicable, a full description of the products affected, including the corresponding CCCN heading;
- (iii) a statement on the effects of the measure;
- (iv) a reference to relevant GATT provisions.

It had also recommended that the above format should be strictly adhered to in respect of future notifications (L/5888, paragraphs 9 and 10).

24. The Group noted that, while some new notifications had been made, and a few notifications had been deleted or amended, the improvements made in the quality of the data since the recommendations had been modest. It also noted that the secretariat had, where possible, allocated CCCN numbers to products referred to in notifications in the Inventory of Non-Tariff Measures. This had enabled a first attempt at identifying notifications relating to products of export interest to developing countries. The Group noted, however, that the results were very imperfect and could only be improved with the help of delegations. Some delegations suggested the introduction of an automatic expiry time limit of two years. Unless renewed, notifications would be deleted at the end of this period.

III. Analyses prepared by the secretariat

25. Having reviewed the adequacy and accuracy of the basic documentation, the Group took up the analyses of this documentation prepared by the secretariat on its own responsibility at the Group's request (NTM/W/17 and Corr.1, and Add.1 and 2 and Add.2/Corr.1). Most of these update analyses done by the secretariat in previous years. The Group took note in particular of the unified analysis summarizing for the first time information contained in the documentation on quantitative restrictions, the Inventory of Non-Tariff Measures (Industrial Products) and the Agricultural Inventories (NTM/W/17/Add.2 and Add.2/Corr.1).

26. The Group expressed its appreciation to the secretariat for the comprehensive documentation which it had prepared. However, because the analyses had been circulated shortly before the meeting, the Group was unable to review them, and in particular the unified analysis, in detail. It noted that delegations would require time to examine them. Delegations therefore reserved their positions on the accuracy of the information contained in the analyses. Delegations also reserved the right to make suggestions for improvements to the analyses.

27. The Group discussed work that might be done by the secretariat on the trade effects of quantitative restrictions. The Group recalled that a previous secretariat paper had already listed the different effects of quantitative restrictions and provided a bibliography of studies on the trade effects of such restrictions. Apart from the resources required to carry out the studies, the main difficulty was the fact that all methods of estimating trade effects relied on some simplifying hypothesis or other which meant that results obtained would be open to criticism.

IV. Conclusions

28. The Group noted that its basic documentation and analyses prepared by the secretariat would be an indispensable tool for the Multilateral Trade Negotiations (the Uruguay Round) recently launched by Ministers. It also noted that the adoption of the Ministerial Declaration on a new round of negotiations, and in particular the provisions on standstill and rollback contained in that Declaration re-emphasized the importance of identifying measures inconsistent with the provisions of the General Agreement or the instruments negotiated within the framework of the GATT or under its auspices in order that they shall be phased out or brought into conformity with the General Agreement within an agreed timeframe. The Group therefore recommended that the documentation and analyses prepared by the secretariat should be kept up to date in accordance with the procedures already agreed and enlarged to cover all participants in the negotiations. It requested the secretariat to draw the attention of the relevant governments to the need to supply information lacking in the documentation, including full GATT justification for the measures that they maintain. It called upon contracting parties to supply this information to the secretariat before 31 January 1987. It also requested them to inform the secretariat by the same date of any specific amendments they wished it to make to the existing basic documentation and analyses. The Group also agreed that delegations should make every effort to include the trade effects of measures in their notifications.

29. The Group requested the secretariat to begin working on the possibility of establishing a link between information available on quantitative restrictions and other non-tariff measures with tariff data in order to develop an integrated data base.

30. The Group requested the secretariat, subject to resources being available, to provide a paper setting out methodologies used, and summarizing some of the main conclusions contained, in published studies of the trade effects of quantitative restrictions and other non-tariff measures.

B. Multilateral Review of Progress

31. The CONTRACTING PARTIES had instructed the Group to hold a multilateral review, with a view to achieving progress in the elimination of quantitative restrictions which are not in conformity with the General Agreement or their being brought into conformity with the General Agreement and in liberalizing other quantitative restrictions and non-tariff measures (L/5888, paragraph 47).

I. Quantitative Restrictions

32. Under this heading, the Group had before it the written proposals in NTM/W/12/Rev.1(European Communities), NTM/W/16 and Addenda 1-4(South Africa,

New Zealand, Japan, Canada, Republic of Korea) and the secretariat survey of recent changes in Annex 15 of NTM/W/17 and Corr.1.

33. The Group noted that, while a large number of changes in quantitative restrictions had occurred no overall trend could be discerned. Some governments had made some changes, others had liberalized their import régimes, and yet others had increased their restrictions.

34. The Group noted the efforts towards liberalization made in countries which had submitted the proposals contained in NTM/W/12/Rev.1 and NTM/W/16 and Addenda but that not much progress had been made during the past year in the elimination of quantitative restrictions which are not in conformity with the General Agreement.

35. The Group noted that some progress had been made in bringing existing quantitative restrictions into conformity with the General Agreement. For instance, certain developing countries which had cited balance of payments grounds for restrictions which they maintain, had invoked Article XVIII:B and therefore consulted on these in the Balance of Payments Committee. However, it also noted that other countries invoking Article XVIII:B or XVIII:C had not followed the prescribed procedures.

36. A number of specific points, including an issue relating to licensing were raised in the Group.

37. Some delegations reiterated their concern over the discriminatory aspect of the 1985 proposal by the European Communities (NTM/W/12). Since distribution of the original proposal the situation had been partially rectified (NTM/W/12/Rev.1) and the Communities were asked to eliminate the remaining discriminatory element in their proposals. The representative of the Communities said that his authorities had undertaken to review the situation and that their revised proposal was already the result of a considerable effort within the Communities.

38. The delegation of Hong Kong raised the issue of the prior confirmation system introduced by Japan in 1979 for imports of silk fabrics from Hong Kong (NTM/INV/I-V/Add.11). It questioned the GATT conformity of the measure and urged that it be lifted. The representative of Japan replied that this system was only directed at preventing imports of false origin and informed the Group that bilateral contacts were conducted on this issue in the hope of reaching mutual understanding of the real situation (NTM/16, paragraphs 25 and 26).

Quantitative Restrictions on Products of Export Interest to Developing Countries

39. In its review of progress made towards the objectives laid down by Ministers with regard to quantitative restrictions affecting products of particular export interest to developing countries, the Group made use of an analysis of selected sectors by the secretariat (NTM/W/17, Annex 16). The Group noted that the product-coverage of the MFA had recently been extended and that consequential amendments would be required in the analysis.

40. The Group noted that, in each sector, some contracting parties had liberalized the importation of a few items, in some cases by implementing written proposals made to the Group in 1985. Some new restrictions had, however, been introduced in all sectors.

41. The Group noted that the fact that little overall progress had been made towards liberalization of quantitative restrictions also meant that the objective laid down by Ministers in 1982 relating to restrictions affecting products of interest to developing countries had not been fully met, despite the emphasis placed on this aspect of the Group's mandate.

II. Other Non-Tariff Measures

42. The Group noted that very few notifications had been withdrawn from the Inventory (NTM/INV/I-V/Add.8-11) since the 1985 review and that only the Japanese proposal (NTM/W/16/Add.2) referred to action taken to liberalize other non-tariff measures, drawing attention to the "Action Programme for Improved Market Access" in which 88 items were listed in the field of standards, certification and import procedures.

43. The Group therefore noted that little concrete progress had been made to date in this area towards the objectives laid down by Ministers.

III. Ways of making further progress

44. The Group then examined ways in which progress might be made in the future towards the objectives laid down by Ministers in 1982. One delegation requested the Group to recommend a schedule of liberalization of quantitative restrictions, as foreseen in the 1982 Ministerial Declaration in particular with respect to quantitative restrictions for which no GATT Article/provision had been cited in Column 6 of the NTM/W/6 documentation.

45. In examining ways in which progress might be made, the Group took into account new developments, of which the most significant was the adoption of the Ministerial Declaration on the Uruguay Round of Trade Negotiations. Of most relevance to its work were the Declaration's provisions on standstill and rollback of measures inconsistent with the provisions of the General Agreement or instruments negotiated within the GATT or under its auspices, and on negotiations to reduce or eliminate other non-tariff measures, including quantitative restrictions.

46. Many delegations considered that measures for which no GATT justification had been put forward should receive priority attention in the implementation of the Uruguay Round rollback commitment on the understanding that no concession would be requested for the elimination of trade restrictive or distorting measures which were inconsistent with the GATT. Some other delegations questioned the appropriateness of the Group's attempting to interpret the rollback commitment including the assignment of priorities in its implementation.

47. The Group has already noted that negotiations to reduce or eliminate non-tariff measures, including quantitative restrictions which are consistent with the provisions of the General Agreement or instruments negotiated within the framework of GATT or under its auspices might either be organized bilaterally, plurilaterally or multilaterally. Any such negotiations should be subject to multilateral surveillance. It has taken note of an analysis by the secretariat on the way in which bilateral and plurilateral negotiations have been conducted in the past in GATT and non-tariff measures not already the subject of MTN Codes which might be the subject of multilateral negotiations. This analysis is annexed to the present report to the CONTRACTING PARTIES (Annex 2).

48. Some delegations thought that the Group had not fulfilled its mandate, which was a great disappointment. In practice, virtually no substantive

progress had been made towards the elimination or bringing into conformity of the quantitative restrictions or other non-tariff measures which were not in conformity with the unequivocal obligations of contracting parties under the General Agreement. One delegation commented further that this report should have emphasized more strongly the unfair situation arising from non-fulfilment of obligations under the General Agreement and commitments under the Ministerial Declaration of 1982, and it would comment further on these aspects in the Council or at the next session of the CONTRACTING PARTIES. While some other delegations shared the disappointment that had been expressed, they could not share the conclusions drawn by this delegation.

Conclusions

49. The Group concluded that the best prospect for achieving the shared objective of the reduction or elimination of quantitative restrictions and other non-tariff measures lay in the implementation of the Ministerial Declaration on the Uruguay Round. It recommended that the annexed analysis (Annex 2) should be used as an input into these negotiations.

C. General

50. Finally, the Group addressed the question of its future rôle. During the discussion a number of options were suggested which might be considered to preserve the beneficial work of the Group. While this list is not exhaustive, some of the options were:

- (i) maintenance of the Group, with the results of its reviews of the adequacy and accuracy of the basic documentation and analysis thereof and of progress towards the elimination of quantitative restrictions which are not in conformity with the General Agreement and the liberalization of other quantitative restrictions and other non-tariff measures, being made available to other interested groups, including the Group of Negotiations on Goods and any mechanism charged with surveillance of the commitments on standstill and rollback in the Ministerial Declaration on the Uruguay Round;
- (ii) continuation of the Group as in (i) above, but for the limited purpose of up-dating and reviewing the accuracy and adequacy of the basic documentation and analyses thereof;
- (iii) continuation of the Group with a modified mandate;
- (iv) suspension of the Group for the duration of the negotiations on the understanding that the work of notification, analysis and review which had been done by it would be continued by other appropriate bodies; and
- (v) termination of the Group on the same understanding as (iv).

Some delegations felt that certain options would not be acceptable to them, while some others had not yet come to a position on the future of the Group.

51. The Group recognized that further reflection was required on these matters and agreed to refer the question of its future rôle to the CONTRACTING PARTIES.

ANNEX 1

QUANTITATIVE RESTRICTIONS

Overview of Information

The following table updates Annex 3 of NTM/W/17 to take into account notifications received since 1 July 1986 from the following contracting parties: Austria, Cuba, Czechoslovakia, EEC, Republic of Korea, Pakistan, Thailand.

The information is presented as follows:

- Column 1: the contracting parties applying the restrictions (* indicates members of the Group)
- Column 2: the date on which the latest notification was made to the GATT
- Column 3: the nature of the information on measures maintained:
- D detailed (contained in the table of NTM/W/6/Rev.3)
 - G general (contained in the country notes of NTM/W/6/Rev.3)
 - No QRs the contracting party has notified that it does not maintain any quantitative restrictions
 - no information available
- Column 4: whether products are identified at the tariff-line level
- Column 5: whether the notification conforms entirely with the revised list of measure symbols (L/5888, Annex)
- Column 6: existence of quantitative restrictions notifications, against the contracting party concerned, in the Inventory of Non-Tariff Measures (Industrial Products): NTM/INV/IV.A, B, C, E, G

ANNEX 1 (cont'd)

<u>Contracting party</u>	<u>Date</u>	<u>Information</u>	<u>Tariff-line level</u>	<u>Revised symbols</u>	<u>Reverse notifications</u>
*Argentina	1986	D, G	Yes	Yes	Yes
*Australia	1986	D ¹	No	Yes	Yes
*Austria	1986	D, G	No	Not all	Yes
Bangladesh	1986	D	Not all	Not all	No
Barbados	1980	G	-	-	Yes
Belize	-	-	-	-	No
Benin	1968	G	-	-	Yes
*Brazil	1985	D	Not all	Not all	Yes
Burkina Faso	1971	G	-	-	Yes
Burma	1965	G	-	-	No
Burundi	1971	G	-	-	Yes
Cameroon	1986	D, G	No	Yes	Yes
*Canada	1986	D, G	No	Yes	Yes
Central African Rep.	-	-	-	-	Yes
Chad	1971	G	-	-	Yes
*Chile	1985	D, G	No	Yes	No
*Colombia	1986	D	Yes	Yes	Yes
Congo	1966	G	-	-	Yes
*Côte d'Ivoire	1984	D	Not all	No	Yes
*Cuba	1984	No QRs ²	-	-	No
Cyprus	1971	G	-	-	Yes
*Czechoslovakia	1986	D	No	No	Yes
*Dominican Rep.	1985	No QRs	-	-	Yes
*EEC	1986	D, G	Not all	Not all	Yes
*Egypt	1985	D, G	No	No	Yes
*Finland	1986	D, G	Not all	Yes	Yes
Gabon	1971	G	-	-	Yes
Gambia	-	-	-	-	No
Ghana	1985	D	No	Yes	Yes

¹Including assessment of trade effects.

²On imports.

*Member of the Group on Quantitative Restrictions and Other Non-Tariff Measures.

ANNEX 1 (cont'd)

<u>Contracting party</u>	<u>Date</u>	<u>Information</u>	<u>Tariff-line level</u>	<u>Revised symbols</u>	<u>Reverse notifications</u>
Guyana	1968	G	-	-	Yes
Haiti	-	-	-	-	Yes
*Hong Kong	1985	No QRs	-	-	No
*Hungary	1986	D	Yes	Yes	Yes
Iceland	1984	D, G	No	Not all	Yes
*India	1985	D	No	Not all	Yes
*Indonesia	1984	D	Yes	Not all	Yes
*Israel	1985	D	Not all	Not all	Yes
*Jamaica	1985	D	Not all	Not all	Yes
*Japan	1983	D	No	Yes	Yes
Kenya	1984	D, G	Yes	Not all	Yes
*Korea, Rep. of	1986	D	Yes	Yes	Yes
Kuwait	1971	G	-	-	No
Madagascar	1976	G	-	-	Yes
Malawi	1986	D	No	Not all	No
*Malaysia	1984	D, G	No	Not all	Yes
Maldives	-	-	-	-	No
Malta	1977	D	No	Not all	Yes
Mauritania	1967	G	-	-	Yes
Mauritius	1985	No QRs	-	-	No
Mexico ¹	1986	D	Yes	No	No
*New Zealand	1986	D	Not all	Not all	Yes
Nicaragua	1965	G	-	-	Yes
Niger	1969	G	-	-	Yes
*Nigeria	1983	D	No	Not all	Yes
*Norway	1986	D, G	Not all	Not all	Yes
*Pakistan	1986	D	Not all	Not all	Yes
*Peru	1986	D	Not all	Not all	Yes

*Member of the Group on Quantitative Restrictions and Other Non-Tariff Measures

¹Notification in the context of the Working Party on the Accession of Mexico

ANNEX 1 (cont'd)

<u>Contracting party</u>	<u>Date</u>	<u>Information</u>	<u>Tariff-line level</u>	<u>Revised symbols</u>	<u>Reverse notifications</u>
*Philippines	1985	D, G	No	Not all	Yes
*Poland	1984	No QRs	-	-	Yes
*Romania	1986	G	-	-	Yes
Rwanda	1971	G	-	-	Yes
Senegal	1984	D, G	No	Not all	Yes
Sierra Leone	1971	G	-	-	Yes
*Singapore	1985	D	No	No	Yes
*South Africa	1986	D	Not all	Yes	Yes
*Sri Lanka	1986	D	No	Yes	Yes
Suriname	-	-	-	-	No
*Sweden	1986	D, G	Not all	Yes	Yes
*Switzerland	1984	D, G	Not all	Not all	Yes
Tanzania	1969	G	-	-	Yes
*Thailand	1986	D	No	Not all	No
Togo	1967	G	-	-	Yes
*Trinidad & Tobago	1984	G	-	-	Yes
Tunisia ¹	1985	D	Not all	Not all	Yes
*Turkey	1986	D	Not all	Yes	Yes
Uganda	1965	G	-	-	Yes
*United States	1986	D, G	No	Yes	Yes
*Uruguay	1986	No QRs	-	-	No
*Yugoslavia	1986	D	Not all	Not all	Yes
*Zaire	1972	G	-	-	No
Zambia	1986	D, G	No	Yes	No
Zimbabwe	1984	D, G	No	No	Yes

¹Acceded provisionally.

*Member of the Group on Quantitative Restrictions and Other Non-Tariff Measures.

ANNEX 2

BILATERAL, PLURILATERAL OR
MULTILATERAL TECHNIQUES

Analysis by the Secretariat

1. Bilateral procedures have, in the past, contained the following elements:
 - (a) The presentation to developed countries of requests by a specified date (it being understood that the possibility of additional requests was not foreclosed);
 - (b) the presentation to developing countries of indicative lists of measures maintained by those countries by a specified date (it being understood that the possibility of additional lists was not foreclosed);
 - (c) requests and indicative lists drawn up in accordance with an agreed format suggested by the secretariat to indicate the specific measure which is the subject of the request including, where possible, the products to which it applies, and the specific action which the country maintaining the measure is requested to take;
 - (d) copies of these bilateral requests and indicative lists to be forwarded to the secretariat for distribution to all participating governments, subject to requirements of confidentiality;
 - (e) offers by governments in response to requests and contributions by governments in response to indicative lists to be presented by a specified date;
 - (f) progress to be reviewed multilaterally with a view to ensuring that the agreed time-table is met, to ensure transparency, to take such action as may be needed to achieve the objectives of the negotiations, in particular with respect to developing countries;
 - (g) upon request, the secretariat to prepare documentation for the developing countries concerning non-tariff measures of particular interest for these countries.
2. There are a number of possibilities with regard to plurilateral procedures:
 - (a) governments could also ask to be joined in a specific request made by another government;
 - (b) the presentation of requests relating to specific measures in specific countries by a number of governments acting together;
 - (c) an offer by one government could be made conditional on specific action by a government other than the government making the request in question.

3. Both bilateral and plurilateral procedures have the merit of focusing attention on particular problems created by particular measures. They are however complex and time-consuming if many problems are to be tackled. Multilateral techniques have therefore been adopted in the past, for instance during the Tokyo Round when the NTM Codes were drawn up, to deal with categories of problems of general interest. Some views have been expressed in the Group earlier, e.g. paragraph 62 and 63 of L/5713. It is suggested that the categories of non-tariff measures in the Inventory should be examined in order to see if any problems would be suitable for multilateral treatment.

4. The first step in such an approach is a multilateral discussion in order to identify issues that require action. A multilateral approach does not necessarily lead to the drafting of a new legal instrument. In some cases the problem may be that the existing framework is adequate but is not being applied. In other cases, it may not be possible to deal with the issues in the area concerned without drawing up agreed interpretations of existing rules. There may, finally, be problems which can only be solved by the establishment of new international rules or guidelines. In each of these cases, the initial stage during which the problems are discussed is followed by a second stage of negotiation based on a specific proposal.

5. The analysis contained in the appendix to Annex 19 of NTM/W/17 is intended to assist delegations to identify types of non-tariff measures which lend themselves to multilateral examination and also contains a number of suggestions in this regard.