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GENERAL AGREEMENT ON TARIFFS AND TRADE

Committee on Tariff Concessions

Original: Spanish

HARMONIZED SYSTEM NEGOTIATIONS UNDER ARTICLE XXVIII

Communication by Chile

The following communication, dated 12 January 1987, has been received from the Permanent Mission of Chile.

With reference to the annex to document TAR/W/62 which contains a proposal by the GATT secretariat concerning the "Geneva (1986) Protocol to the General Agreement on Tariffs and Trade", I should be most grateful if you would arrange to have the following comments circulated among the contracting parties members of the Committee on Tariff Concessions.

1. It is of the greatest importance that the document containing the schedule of tariff concessions of a party to the Geneva (1986) Protocol should contain the maximum amount of information available, because it is apparently this document that will recapitulate all historical information on tariff concessions. Indeed, failure to consider all such relevant historical information would create an imbalance between the loose-leaf schedules of the countries that have not acceded to the Harmonized System and the countries that have done so.

2. With respect to paragraph 2 of the Protocol in question, the term "the applicable date in respect of a schedule of tariff concessions annexed to this Protocol ..." should be clarified, since paragraph 2(b) of document TAR/W/62 could suggest that the applicable date for concessions in force will be the date on which the schedule is presented in the relevant Protocol. This point leads us to wonder whether the dates of previous concessions, negotiated at other trade rounds, will or will not be invalid. In order to avoid any such uncertainty, information on the date and on the documents containing historical concessions should be retained in the loose-leaf schedules under the Harmonized System. This would avoid errors and omissions in the change-over from the old nomenclature to the Harmonized System.

Another source of concern for my delegation is the problem of bringing the "Initial Negotiating Right (INR)" on tariff concessions contained in existing loose-leaf schedules into line with the new schedules of concessions that will be the result of the application of the Harmonized System. For it is common knowledge that the change in tariff nomenclature, once the Harmonized System has been introduced, will give rise to a considerable number of cases where specific tariff lines will be changed, INRs being replaced by tariff lines.

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For this reason, we consider that the historical situation of the INRs should be maintained, and that to this end a careful study should be carried out.

Lastly, and in response to the kind offer of technical assistance by the GATT secretariat, I should like to reaffirm the need to increase such assistance with a view to resolving the thorny problem raised by the practical implementation of the Harmonized System