

TECHNICAL GROUP ON QUANTITATIVE RESTRICTIONS
AND OTHER NON-TARIFF MEASURES

Note on the Meeting of 30 March 1987

1. The Technical Group on Quantitative Restrictions and Other Non-Tariff Measures held its first meeting on 30 March 1987 (GATT/AIR/2389).

2. The Group's terms of reference were set down in a decision of the CONTRACTING PARTIES at their forty-second session as follows:

"A Technical Group, open to all contracting parties, is established for the purpose of finalizing not later than March 1987 the updating of the documentation previously prepared by the Group on Quantitative Restrictions and Other Non-Tariff Measures;

the same Group will conduct the subsequent updating and analysis of documentation in accordance with the timetable and procedures agreed by the CONTRACTING PARTIES in 1984 and 1985 (BISD, 31S, pages 227 and 228, BISD, 32S, pages 92 and 93); and

the documentation resulting from the work under the above paragraphs shall be available to other groups, including the relevant bodies established under the Ministerial Declaration on the Uruguay Round." (L/6100)

A secretariat note on work to be done in the Technical Group had been circulated as NTM(TG)/W/1.

3. The following agenda was adopted:

- A. Election of Chairman
- B. Finalizing the updating of the documentation
- C. Secretariat report on the possibility of developing an integrated data base
- D. Other business
 - (i) note on the meeting and report of the Group;
 - (ii) availability of the documentation to other groups;
 - (iii) date of next meeting.

A. Election of chairman

4. The Technical Group requested the secretariat to chair this first meeting, on the understanding that this would not prejudice the question of chairmanship of future meetings. The meeting was chaired by Mr. P.J. Williams of the secretariat.

B. Finalizing the updating of the documentation

5. The Technical Group had before it the following documentation:

I. Documentation to be finalized:

- (a) Basic documentation supplied by delegations:
 - (i) quantitative restrictions:
NTM/W/6/Rev.3 and Rev.3/Add.1;
 - (ii) Inventory of Non-Tariff Measures (Industrial Products):
NTM/INV/I-V, up to and including Add.12.
- (b) secretariat analyses of this basic documentation:
NTM/W/17, W/17/Add.1 and 2, and W/17/Add.2/Corr.1.

II Additional information supplied by governments in response to the requests in the Report (1986) of the Group on Quantitative Restrictions and Other Non-Tariff Measures (L/6073, paragraph 28):

- (a) Modifications to the basic documentation:
 - (i) quantitative restrictions:
NTM/W/6/Rev.3/Add.2-10;
 - (ii) Inventory of Non-Tariff Measures (Industrial Products):
NTM/INV/I-V/Add.13-16.
- (b) Comments on the secretariat analyses:
NTM(TG)/W/2 and Add.1 and 2.

6. The Chairman recalled that the finalizing of the documentation was a technical exercise and that it was not necessary to repeat points on record in the reports of the Group on Quantitative Restrictions and Other Non-Tariff Measures (BISD, 31S/211 and 32S/91, and L/6073). He stated that after this meeting, the secretariat would be consolidating the basic documentation on quantitative restrictions into one document to be issued as NTM/W/6/Rev.4, and would also be updating the analyses of the basic documentation (NTM/W/17/- series) which it had circulated on its own responsibility. Any additional information supplied by delegations at this meeting would be reflected in the documentation.

(a) Basic documentation supplied by delegations

(i) Quantitative restrictions (NTM/W/6/Rev.3 and Add.1-10)

7. The representative of a group of delegations noted that one-third of contracting parties had still not supplied detailed information on the quantitative restrictions which they maintain. It was essential for the usefulness of the documentation, that all contracting parties comply with the notification requirements adopted by the CONTRACTING PARTIES (BISD, 31S/222). The same delegate indicated that his authorities had updated their quantitative restrictions notification and would shortly be forwarding it to the secretariat.

8. The representatives of New Zealand and the United States indicated some minor amendments to their notifications, to be included in NTM/W/6/Rev.4.

9. One delegation recalled its statement in the last meeting of the Group on Quantitative Restrictions and Other Non-Tariff Measures (NTM/17, paragraph 6) on the GATT justification advanced by some contracting parties for some of their quantitative restrictions, and requested that this be duly reflected in the documentation to be made available to other groups, including the relevant bodies of the Uruguay Round.

10. In reply to a question from one delegation on the mention on page 2 of NTM/W/6/Rev.3/Add.8 that "the Mexican delegation has indicated that it has not made a formal notification of its quantitative restrictions", the representative of Mexico stated that his government's communication to the secretariat of 23 February 1987 (L/6137 and Add.1) fulfilled its obligation under its Protocol of Accession to provide a first notification within six months of accession but was not made pursuant to the notification requirement adopted by the CONTRACTING PARTIES (BISD, 31S/222). He further stated that the Mexican government was continuing to implement its policy of substituting tariffs for prior import permits and that his authorities would make a formal notification of any remaining quantitative restrictions when the process had been taken as far as it could and would follow up with the appropriate justifications. He also felt that this could coincide with the time limit for the up-dating of the basic documentation on quantitative restrictions (NTM/W/6/- series).

11. One delegation reserved its position as to whether Mexico was fulfilling its obligations under its Protocol of Accession and agreed with the representative of Mexico to pursue the matter informally.

12. One delegation reserved its position with respect to Mexico notifying its quantitative restrictions in the context of the 1984 decision of the CONTRACTING PARTIES (BISD, 31S/12 and 222, paragraph 44(a)).

(ii) Inventory of Non-Tariff Measures (Industrial Products) (NTM/INV/I-V and Add.1-16)

13. The Chairman indicated that the secretariat had recently received a number of notifications and that these would be added to the Inventory when the maintaining countries had been given the standard eight weeks to comment. One delegation indicated that it would be submitting its comments shortly.

14. One delegation indicated some amendments it wished to make in order to update earlier notifications by its authorities. These would be submitted to the secretariat in writing and the amendments made according to standing procedures.

15. Another delegation indicated that some minor errors¹ appeared in two of its notifications and requested that corrections be made.

(b) Secretariat analyses of the basic documentation (NTM/W/17 and Add.1 and 2 and Add.2/Corr.1, and NTM(TG)/W/2 and Add.1 and 2)

16. Commenting on the secretariat's presentation of the basic documentation in its analyses, and with reference to NTM/W/17, Annex 12, page 152, the representative of New Zealand stated that his authorities had never imposed countervailing duties, as they had indicated in their comments to the notification in question (NTM/INV/I.B.2).

17. The Technical Group took note of the statements made, and agreed that it had completed the finalizing of the updating of the documentation previously prepared by the Group on Quantitative Restrictions and Other Non-Tariff Measures.

18. The Chairman recalled the CONTRACTING PARTIES' decision that contracting parties should notify details of changes in the quantitative restrictions that they maintain as and when these changes occur and should make a complete notification of their quantitative restrictions once every two years (BISD, 31S/12 and 222, paragraph 44(a)). The next complete notification would be due in the first half of 1988. The Inventory of Non-Tariff Measures (Industrial Products) was open-ended, subject to agreed procedures (C/110, and BISD, 32S/12 and 93, paragraph 9).

C. Secretariat report on the possibility of developing an integrated data base

19. The Chairman reported that work was well under way in the secretariat on formulating a detailed proposal for the development of an integrated data base and such a proposal would be forthcoming shortly. He outlined

¹ Subsequently issued as NTM/INV/I-V/Corr.2

some points which would need to be taken into consideration: (i) the detail, as to definition of both products and measures, and reliability of the basic data on quantitative restrictions and non-tariff measures would need to be improved in particular if it were to be used for the negotiations; (ii) it would need to be done in time to serve for the negotiations; (iii) a decision would have to be taken as to product nomenclature to be used (CCCN, Harmonized System or national nomenclatures); (iv) the cost implications would need to be taken into account.

20. One delegate noted that the secretariat was requesting an allocation of funds for this project in the supplementary budget to be examined by the Committee on Budget, Finance and Administration at its next meeting. It would be helpful to members of that Committee to have some clearer idea of the secretariat's intended proposal for an integrated data base.

21. The Group took note of the statements made.

D. Other Business

(i) Note on the meeting and report of the Group

22. The Group requested the secretariat to prepare, in the usual way, a note on the meeting and agreed that this note should be presented as its report to the Council on the first possible occasion.

(ii) Availability of the documentation to other groups

23. The Technical Group noted that the documentation, including this note, the notes on the meetings of the Group on Quantitative Restrictions and Other Non-Tariff Measures (NTM/2-17) and the reports of that Group (BISD, 31S/211 and 32S/91, and L/6073), were available to other groups, including the relevant bodies established under the Ministerial Declaration on the Uruguay Round.

(iii) Date of next meeting

24. The Chairman recalled that the next regular meeting of the Technical Group would be held in October 1988 to carry out the next biennial multilateral review of the accuracy and adequacy of the documentation and the grounds and GATT conformity of measures, as called for in the 1985 Report of the Group on Quantitative Restrictions and Other Non-Tariff Measures (BISD, 32S/94, paragraph 12).