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TRADE NEGOTIATIONS COMMITTEE

November 26, 1993

The Trade Negotiations Committee met on 26 November 1993. The following is the opening statement by the Chairman, Mr. Peter Sutherland.

We now have 19 remaining days within which to conclude the Uruguay Round negotiations. Since our last meeting, the APEC meeting in Seattle has added the voice of APEC countries to those calling for a conclusion to the Round by the deadline of 15 December.

I am encouraged by the increasing focus being given by virtually all participants to resolution of the outstanding issues. However, we still need greater urgency on the part of the European Union and the United States to bring a further decisive contribution to the table. It was good to know that last week's meeting in Washington was constructive and made progress. However, constructive meetings are no substitute for concrete results. The European Union and the United States should not make the dangerous mistake of leaving everything until the last minute; they must remember too that there are other participants who must also be engaged in our multilateral process, which is being hindered by their delay. At every meeting of the TNC since the Tokyo Summit in July we have urged them to complete and deliver on the specifics of the market access package. They must next week at their meeting in Brussels reach a substantive result and place a decisive contribution on the table here in Geneva. So many offers and schedules from other participants depend on that contribution. Time is now becoming as big a factor as the remaining issues of substance. I would be doing less than my duty if I were not to warn them: we cannot afford further delay without jeopardising the Round.

Market Access

The process guided by Mr Germain Denis is now moving into the final stages. He is aiming at completing his consultations by the end of next week so as subsequently to table revised texts on the market access related issues in the DFA. It is crucial therefore, in order to maintain momentum and the timetable we have established, that all participants, but especially the major trading partners, do not delay further in bringing the market access package to a conclusion.

I am asking Mr Denis also to focus on the issue of completion of final offers and schedules as it is important that the drafting of schedules should not be left until the last minute.

Services

Yesterday's meeting of Heads of Delegation discussed the negotiations on Services, focusing on the few outstanding textual issues and on the remaining problems in Maritime Transport, Audio-visual Services and in particular Financial Services. Quite apart from the substance of these problems, I was struck by the consciousness of the overwhelming pressure of time; however complex the substance may be, further delay will make their solution harder, not easier - because all solutions have to be multilateral.

The time factor is particularly evident today, which is the deadline agreed by the GNS for the submission of draft final schedules and final lists of MFN exemptions. Revised schedules and exemption lists are being submitted and circulated every day, but many of these schedules are still heavily conditional, often for perfectly understandable reasons, and there are far too many outstanding. We have to remember the sheer logistical problems of circulating schedules which are submitted late, and of having them examined in capitals. I have asked Ambassador Hawes to focus on these questions at this afternoon's meeting of the GNS.

Process

It is my intention to fold the meeting of the GNG on evaluation of the Uruguay Round results, as required by the Punta del Este Declaration, into the TNC meeting which will take place next Friday, 3 December, at 9 a.m. This will enable participants to cover in their contributions all aspects of the results of the Round to date.

Before concluding, I should like for the sake of transparency to outline the process which is envisaged for finalising the Final Act. Heads of Delegation are already fully aware of this process.

It will be recalled that following presentation to the TNC of the Draft Final Act in 1991, the Legal Drafting Group carried out some work, including rectifications to the text, from the point of view of legal conformity and consistency. This group also listed points which required further attention, most of which were matters of drafting and did not involve significant matters of substance. Furthermore, as a result of the valuable work carried out by the Lacarte group on the MTO and the Dispute Settlement Understanding, there is a need to introduce consequential revisions to several DFA texts. In the areas of subsidies, countervailing measures and anti-dumping, it has long been the intention to harmonise relevant language in the two agreements and some delegations have been developing

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proposals to achieve this objective. The Secretariat also has been working on the list of issues drawn up by the Legal Drafting Group.

Accordingly, I have asked the Friends of the Chair to take this work in hand in relation to all the agreements under their responsibility and to produce revised draft texts in consultation, as necessary, with delegations. As and when this work is completed, the revised texts will be circulated to Heads of Delegation meeting in the Informal Group that I chair.

These revised texts will begin to be tabled from 30 November onwards as indicated to the Heads of Delegation last night. Thus, Heads of Delegation should have all textual elements in their possession in good time to enable them to provide to their authorities a detailed and up-to-date overview of the state of the negotiations.

The ensuing period will be devoted to completing the negotiations on the short list of remaining issues with intensive meetings of Heads of Delegations, as necessary. I propose to hold the TNC meeting to approve the Uruguay Round results on 15 December. Bearing in mind the desirability of giving delegations some time, at least 24 hours, to advise capitals of any final amendments that may result from these intensive meetings and the time needed for logistical production of the consolidated text in all three languages negotiations would have to be effectively closed on 13 December at the latest.

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