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GENERAL AGREEMENT ON
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1960-61 TARIFF CONFERENCE
Tariff Negotiations Committee

PROCEEDINGS OF THE SEVENTEENTH MEETING IN ORDINARY SESSION

Held at the Palais des Nations, Geneva,
on Wednesday, 28 March 1962, at 3 p.m.

Chairman: Mr. E. Wyndham White

- Subjects discussed:
1. Supplementary report of the Legal Drafting Group (TN.60/19)
 2. Arrangements for the opening for acceptance of the Protocols of Accession of Cambodia, Israel and Portugal
 3. Fixing date for the opening for acceptance of the "General" Protocol Embodying the Results of the Tariff Conference

1. Supplementary report of the Legal Drafting Group (TN.60/19)

The Chairman recalled that the Tariff Negotiations Committee had been authorized by the CONTRACTING PARTIES to make minor modifications in the texts of the protocols embodying the results of the Tariff Conference if it should become necessary. The Legal Drafting Group had submitted to the Committee for approval some minor drafting changes and corrections in the Protocol Embodying the Results of the 1960/61 Tariff Negotiations and the three Protocols of Accession (TN.60/19). The Chairman proposed - in view of the fact that the document had been circulated only the day before the meeting - that the amendments should be provisionally approved. If no delegation had raised any objections before the end of the week the approval would be final. This was agreed.¹

¹No objections were raised within this time-limit.

2. Arrangements for the opening for acceptance of the Protocols of Accession of Cambodia, Israel and Portugal

The Chairman proposed that the three protocols of accession should be opened for acceptance early in April. He suggested that the secretariat should be authorized to fix a date between 4 and 7 April in consultation with the countries concerned.¹

This was agreed.

The Chairman recalled that Decisions agreeing to the accession of Israel and Portugal had been taken by the CONTRACTING PARTIES at the nineteenth session. The draft Decision agreeing to the accession of Cambodia would, in accordance with established procedures, be sent to governments² on the day the Protocol of Accession of Cambodia was opened for acceptance and, in accordance with Article XXXIII, would become effective sixty days later if by that day favourable votes had been received from two thirds of the contracting parties. Cambodia would become a contracting party on the day the Decision became effective, or on the thirtieth day following the day upon which it had accepted the Protocol, whichever was the later. The text of the draft Decision had already been approved by the Tariff Negotiations Committee in January (TN.60/SR.15).

The date for the publication of the protocols was to be fixed by the secretariat in consultation with the delegations concerned.³

3. Fixing date for the opening for acceptance of the "General" Protocol Embodying the Results of the Tariff Conference

The Chairman said that he had examined carefully in consultation with representatives of the EEC the question of establishing a firm date for the opening for signature of the "General" Protocol and of the Final Act. As a basis for discussion in the Committee he would like to propose 16 July.

The date for opening for signature of the "General" Protocol would be deemed to be the date on which the 1960-61 Tariff Conference was concluded. This date was particularly important as an understanding had previously been reached that the six-month period referred to in Article XXVIII:3 would end with the conclusion of the Conference.

In proposing 16 July as the date for the opening for signature of the Protocol he had taken into account the time necessary to conclude the negotiations still outstanding as well as a reasonable period for the preparation of the final schedules. It would leave the whole month of May for the conclusion of the negotiations and a further six weeks for the examination and checking of the schedules.

¹The Protocols were opened for acceptance on 6 April 1962.

²GATT/AIR/276

³18 April 1962 (See TN.60/20)

If, nevertheless, some negotiations could not be concluded in time to be incorporated in the Protocol, they should be considered as negotiations for "supplementary concessions" and annexed to a separate protocol in accordance with the procedures laid down by the CONTRACTING PARTIES (BISD, Vol. I, page 116).

The representative of the United States asked whether the Protocol could be opened for signature at an earlier date if the negotiations were concluded sooner than foreseen.

The Chairman said that to him it seemed rather unlikely that the negotiations could be concluded earlier. In view of the legal importance of the closing date of the Dillon round, he would prefer to fix a firm date.

The representative of the EEC said that he thought that 16 July was a reasonable and realistic proposal. It was not probable that the negotiations could be terminated in time to allow for an earlier date as a fair amount of technical work still had to be done.

The proposal that the "General" Protocol be opened for acceptance on 16 July 1962 was approved.

The representative of Uruguay recalled that his delegation had pointed out at the meeting of the Tariff Negotiations Committee on 19 January 1962 (TN.60/SR.15) that - in view of the fact that results on frozen and chilled beef in the XXIV:6 agreement with the EEC had not been satisfactory to Uruguay - it had reserved the right to withdraw substantially equivalent concessions on items originally negotiated with member States of the EEC. The EEC had agreed to abstain from similar action. His delegation had received from the EEC new offers in January which were still being studied by the Government of Uruguay. He wanted to repeat that his delegation was somewhat concerned that the Conference might come to an end before a satisfactory agreement could be reached. He therefore wanted to reserve his rights to put the question before the Committee.

The Chairman took note of this statement.

The representative of the EEC said that his delegation had put a final proposal before the Uruguayan delegation. He could not see that the Committee could do very much before Uruguay reacted to the Community's proposals. His delegation would however carefully study all proposals for a solution of the problem.

The representative of the EEC also wanted to stress that his delegation would be grateful if replies could be had as soon as possible to the new proposals submitted by the Commission to the delegations of Ceylon, India, Indonesia, Nigeria, Portugal and Uruguay.