

**MULTILATERAL TRADE  
NEGOTIATIONS  
THE URUGUAY ROUND**

RESTRICTED

MTN.GNG/NG8/W/85

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Group of Negotiations on Goods (GATT)

Negotiating Group on MTN  
Agreements and Arrangements

REPORT OF THE NEGOTIATING GROUP ON  
MTN AGREEMENTS AND ARRANGEMENTS TO THE  
GROUP OF NEGOTIATIONS ON GOODS

The Negotiating Group on MTN Agreements and Arrangements held its first meeting on 6 March 1987. In the course of its work, which has comprised twenty-three meetings of the Group itself, proposals have been made for improvements, clarification and expansion of the following MTN Agreements:

- (1) the Agreement on Technical Barriers to Trade;
- (2) the Agreement on Import Licensing Procedures;
- (3) the Agreement on Implementation and Application of Article VII (Customs Valuation Code);
- (4) the Agreement on Government Procurement;
- (5) the Agreement on Implementation of Article VI (Anti-Dumping Code).

The Negotiating Group set up Informal Groups to carry out negotiations in each of the above fields. The results of the negotiations in relation to these Agreements are described below.

1. Agreement on Technical Barriers to Trade

Document MTN.GNG/NG8/W/83/Add.3/Rev.1 contains the revised version of the Agreement on Technical Barriers to Trade.

The Negotiating Group notes that the following outstanding issues would have to be settled through further informal consultations:

Articles 3 and 7 concerning the obligations of Parties with respect to the activities of local government bodies, on which difference of substance remains.

Article 14 on dispute settlement procedures, which will need to be reconsidered in the light of the work in the Negotiating Group on Dispute Settlement.

The relation of the instrument to the outcome of the negotiations on sanitary and phytosanitary measures under the Negotiating Group on Agriculture and the form of the final instrument will need to be addressed at an appropriate time.

2. Agreement on Import Licensing Procedures

Document MTN.GNG/NG8/W/83/Add.1/Rev.3 contains the revised version of the Agreement on Import Licensing Procedures.

The Negotiating Group notes that one delegation has reserved its position as it would like the present Agreement on Import Licensing Procedures to be extended to cover the area of export licensing procedures. As an alternative it has been suggested that a GATT working party be established in the post-Uruguay Round work programme, to consider rules in this area.

3. Agreement on Implementation and Application of Article VII (Customs Valuation Code)

Document MTN.GNG/NG8/W/83/Add.4/Rev.1 and Corr.1 contains, in relation to the Customs Valuation Code:

- (a) Proposed Decision Regarding Cases Where Customs Administrations Have Reasons To Doubt The Truth Or Accuracy Of The Declared Value; and
- (b) a statement by the Chairman of the Negotiating Group on:
  - (i) valuation of goods by some developing countries on the basis of officially established minimum values; and
  - (ii) possible problems related to the valuation of importations into developing countries by sole agents, sole distributors and sole concessionaires.

4. Agreement on Government Procurement

The Negotiating Group notes that it has not been possible to agree on proposals relating to: (i) possible "transparency and predictability mechanism"; and (ii) "facilitation of further membership" (reference MTN.GNG/NG8/W/83/Add.2, submitted to the GNG on 23 July 1990).

The Group notes that a number of delegations are of the view that work on facilitating increased participation in the Agreement should be pursued during the time remaining in the Uruguay Round.

5. Agreement on Implementation of Article VI (Anti-Dumping Code)

The Negotiating Group notes that intensive consultations which have taken place to resolve outstanding issues are presently suspended. It is hoped that further consultations would be resumed shortly which would lead to a successful outcome.

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The Negotiating Group hereby transmits the texts contained in MTN.GNG/NG8/W/83/Add.1/Rev.3; MTN.GNG/NG8/W/83/Add.3/Rev.1 and MTN.GNG/NG8/W/83/Add.4/Rev.1 and Corr.1, with the observations in this report relating to each of them, for approval and adoption by the GNG. In so doing, it notes that informal consultations are continuing on the outstanding issues mentioned above and requests the secretariat to transmit the results of these consultations directly to the GNG.

The note on the present meeting of the NG8 will also be transmitted to the GNG.