

**MULTILATERAL TRADE  
NEGOTIATIONS  
THE URUGUAY ROUND**

RESTRICTED  
MTN.TNC/W/56  
5 December 1990  
Special Distribution

Trade Negotiations Committee

Original: English/  
French

COMMUNICATION FROM THE ACP COUNTRIES

Conclusions of the Special ACP Ministerial  
Meeting on the Uruguay Round

1. African, Caribbean and Pacific countries (ACP) have on a number of occasions drawn the attention of participants in the Uruguay Round to the adverse consequences for their countries' export trade of current offers of liberalization in tropical products. In other market-access areas covered in the Uruguay Round (tariffs, non-tariff measures, natural resource-based products, agriculture, and textiles and clothing), the preliminary assessment of ACP States, as well as of econometric analyses of offers tabled by major developed countries, indicate that ACP countries are also likely to be net losers. Their losses would be due mainly to expected net declines in their exports to major markets, particularly the European Community market, as a result of erosions in the margin of preferences currently enjoyed by ACP countries due to reductions in or elimination of m.f.n. duties on products of export interest to them.
2. Given the current situation of crisis in their economies, as well as the trade, financial and development needs of ACP countries, many of which are among the category of least developed, ACP Ministers considered this an unacceptable outcome to the Uruguay Round. They therefore strongly urge that in this concluding session of the Uruguay Round that "compensatory" action be taken to ensure a balanced outcome for them.
3. Such corrective action should take the form of, inter alia: deeper preferential cuts or total elimination of tariffs on all products (tropical, agricultural, natural resource-based, textiles and clothing) originating from ACP countries in major markets; exemption from, or more favourable treatment with respect to, quotas, ceilings and other non-tariff measures; exclusion from the application of safeguard action, transitional or otherwise; acceptance of preferential rules of origin criteria for ACP and least developed countries; and effective measures, including financial and other assistance, to offset the negative effects of the reform process in agriculture on net food-importing ACP countries. The commercial dependence of ACP countries on one or a few commodities (e.g. sugar and molasses, coffee, cocoa, copra, beef, rice, bananas, etc.) and their traditional trade links with certain markets should be taken into account. In addition, ACP countries should not be required to undertake commitments and obligations and to make concessions or contributions which are inconsistent with their development, financial and trade needs.

4. ACP Ministers urge the European Community to take all the necessary steps to safeguard the interests of the ACP States in its market in accordance with the provisions of the Lomé Convention.

5. With regard to the new subjects, ACP Ministers emphasized that given the low stage of economic development of the economies of ACP countries, economic diversification and industrialization is a matter of vital importance to them. Trade related investment measures (TRIMs) are necessary policy instruments in order to attract and maximise the development impact of foreign investment including transfer of technology, as well as to counter the restrictive business practices (RBPs) of transnational corporations. Hence, ACP countries should not be denied the right to utilize such measures for development purposes. In the area of trade related intellectual property rights (TRIPs), ACP countries should be allowed the flexibility to adapt their intellectual property rights legislation to their economic, social and technological development needs. therefore, any agreement on intellectual property rights should exempt ACP countries from any higher obligations with respect to norms and standards. In the area of services, a Multilateral Framework for Trade in Services should included the development dimension as an integral element with a view to facilitating the development of service industries in ACP States and their increased participation in trade in services. Any commitments made by ACP countries should be linked with the progress in strengthening their service sector and their ability to derive benefits from the concessions of their trading partners.

6. ACP Ministers believe that the international trading system and the GATT multilateral system of trade rules and obligations should be made supportive of the economic and social development of developing countries. In this connection, all Uruguay Round agreements should take account of the development dimension (including the need of developing countries to take action to safeguard their balance of payments) so that developing countries, particularly the ACP countries, should derive benefits from the results of the Uruguay Round. The continuing need of ACP countries for preferential treatment in the area of market access as well as in other fields should be recognized and given effect in the results of the Uruguay Round.

7. The ACP Council of Ministers:

- mandated the Ministers of Jamaica to act as the coordinator of the positions of the ACP Group in the GATT negotiations in Brussels from 3 to 7 December 1990 and to convene meetings for this purpose of the whole ACP Group if the need arose;
- instructed the ACP General Secretariat to provide the technical support necessary, account being taken of the fact that the Secretariat did not have observer status in the negotiations and therefore it could only participate as part of a national delegation;

- requested that these conclusions be communicated to the EEC and to the GATT contracting parties during the final phase of the negotiations;
- urged all ACP contracting parties to participate actively in the negotiations.