

GENERAL AGREEMENT ON
TARIFFS AND TRADE

RESTRICTED

CPC/S/1

3 December 1973

Special Distribution

Preferential Arrangements
among Developing Countries
Negotiated in GATT

COMMITTEE OF PARTICIPATING COUNTRIES - SPECIAL MEETING

Procedures for Accession to the Protocol Relating
to Trade Negotiations Among Developing Countries

Note by the Secretariat

1. The Committee of Participating Countries provided for in the Protocol relating to Trade Negotiations among Developing Countries convened a special meeting on 16 November 1973 for the purpose of exchanging ideas with other developing countries on possible measures for encouraging their accession to the Protocol and considering any related problems. The following note elaborates in more detail the information provided at the meeting on procedures for accession to the Protocol and the steps that would serve to facilitate the process of accession.
2. The basic procedural steps involved are as follows:
 - (i) a developing country interested in acceding to the Protocol notifies its interest by written communication to the Chairman of the Committee of Participating Countries or to the GATT secretariat;
 - (ii) the communication is circulated to all countries participating in the Protocol and other countries which have likewise notified an interest in participating in these arrangements;
 - (iii) there is exchange of information and consultations between the country interested in accession and other countries concerned with a view to exploring possibilities for an exchange of tariff concessions and the scope for any negotiations that might take place;
 - (iv) the Committee of Participating Countries meets to note which countries have expressed an interest in participating in the negotiations and to set a date for the exchange of request lists and for the opening of negotiations. The countries which have expressed interest in acceding to the Protocol and in participating in the consultations mentioned at sub-paragraph (iii) above shall be invited to this meeting;

- (v) the negotiations shall take place in accordance with the provisions of the Protocol relating to Trade Negotiations among Developing Countries and the working rules and procedures adopted by the Trade Negotiations Committee of Developing Countries on 16 February 1970 (see Annex) shall apply mutatis mutandis;
- (vi) the results of the negotiations shall be embodied in a schedule to be annexed to a Protocol of Accession to be adopted by the Committee of Participating Countries; and
- (vii) as provided in paragraph 14 of the Protocol, the Committee may decide that a developing country may accede without negotiations for exchange of concessions. Such accession shall take effect through the adoption of a protocol of accession laying down any understandings or conditions that may apply.

3. It is suggested that in order to determine whether they might seek accession to the Protocol and expedite further procedures involved, non-participating countries should

- (a) examine the schedules of concession attached to the Protocol with a view to identifying products of interest;
- (b) determine whether there are any other items of export interest to them on which it would appear worthwhile to explore possibilities for expanding exports to markets of countries participating in the arrangements; and
- (c) following such examination, address a communication to the GATT secretariat or to the Chairman of the Committee of Participating Countries as provided in sub-paragraph (i) above, attaching the list of products identified as of interest.

4. In circulating the communication, the GATT secretariat will forward the list of products attached to the countries to which it relates with the request that they provide relevant information on their imports of the items appearing in the list and the tariff and other regulations applicable. This information can be supplemented by relevant data available to the secretariat. At the same time, the secretariat will also request these countries to identify products in respect of which they would be interested in exploring possibilities in the market of the country from which the communication has been received.

5. The steps outlined at sub-paragraphs (iii) to (vi) of paragraph 2 will follow. It is understood that no country is committed to acceding to the arrangement until the negotiations envisaged above have been satisfactorily concluded or a supplementary Protocol of Accession on mutually acceptable terms has been drawn up.

ANNEX

Certain Working Rules for Trade
Negotiations among Developing Countries

The aim of the trade negotiations among developing countries is to expand trade between developing countries and to widen the markets they provide for each other, through reduction or elimination of some of the tariff and non-tariff barriers that affect existing trade flows or inhibit the development of new trading possibilities.

1. The negotiations are open to all developing countries irrespective of whether these countries:

- (a) belong to the same geographic region or not; and
- (b) are contracting parties to the GATT or not.

The participation of any developing country in these negotiations will not create any new rights or obligations between that country and any other participating country in respect of any commitment not covered by these negotiations.

2. The negotiations may cover an exchange of concessions on tariffs and/or any other barriers to trade. It will be for the participating countries, in their bilateral negotiations, to decide on the scope of the concessions to be exchanged between them.

3. The negotiations will be carried out on a selective product-by-product basis. It will, however, be open to participating countries to offer tariff reductions on one or more sectors of their imports on a linear basis.

4. The concessions resulting from these negotiations apply on a preferential basis. They will be applicable on a multilateral basis and on the principle of mutual benefit to all developing countries referred to in Rule 1, namely, developing countries whether contracting parties to the GATT or not. The procedures under which the concessions would be applied to developing countries who have not effectively participated in the negotiations will be defined before the concessions come into force.

In applying the principle of mutual benefit the participating countries intend to take into account the development, financial and trade needs of individual developing countries.

5. Concessions will be exchanged between participating countries on the basis of specific lists of requests and of offers made within the framework of these negotiations.

6. The list of concessions granted by each participating country will be attached to an appropriate legal instrument giving effect to the scheme resulting from these negotiations.

7. Developing countries who have not until now participated in the negotiations may at any time request the Trade Negotiations Committee to make arrangements for their participation.