GENERAL AGREEMENT ON
TARIFFS AND TRADE
COUNCIL
24 April 1991

VENEZUELA - ESTABLISHMENT OF A NEW SCHEDULE LXXXVI

Draft Decision

Considering that, in a communication dated 26 March 1991 (L/6835), the Permanent Mission of Venezuela notified the CONTRACTING PARTIES that on 31 March 1990 Venezuela adopted the Common Tariff Nomenclature of the Member States of the Cartagena Agreement, NANDINA, based on the Harmonized Commodity Description and Coding System;

Considering that the Harmonized System came into force in Venezuela while the negotiations for its succession to the General Agreement were underway, but that for technical reasons the tariff negotiations leading to the adoption of Schedule LXXXVI could not be based on the Harmonized System;

Noting that the Government of Venezuela, when adopting the NANDINA nomenclature, was obliged to modify the tariffs for a very small number of concessions;

Considering that the interval since the above-mentioned adoption has not, however, been sufficient for Venezuela to have concluded the relevant consultations and renegotiations with interested contracting parties;

Recognizing that the bulk of the documentation necessary for carrying out these consultations and negotiations under Article XXVIII has already been forwarded to the GATT secretariat for circulation to contracting parties in documents L/6696/Add.2 and Add.3 and that Venezuela is preparing the remaining documentation;

Noting that, in view of the above, the Government of Venezuela has requested a temporary waiver of its obligations under Article II of the General Agreement until 31 December 1991 in order to carry out the tariff renegotiations deemed necessary under Article XXVIII of the General Agreement;

The CONTRACTING PARTIES, acting pursuant to the provisions of Article XXV:5 of the General Agreement,

Decide, in view of the exceptional circumstances, to suspend the application of the provisions of Article II of the General Agreement to enable the Government of Venezuela to implement the NANDINA nomenclature, subject to the following conditions:

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1. The Government of Venezuela will promptly enter into negotiations and consultations with interested contracting parties pursuant to paragraphs 1-3 of Article XXVIII.

2. The negotiations and consultations mentioned above shall be completed not later than 31 December 1991.

3. Pending the entry into force of the results of the negotiations or consultations mentioned above, the other contracting parties will be free to suspend concessions initially negotiated with the Government of Venezuela to the extent that they consider that adequate compensation is not offered by the Government of Venezuela.