TARIFF NEGOTIATIONS COMMITTEE

SUMMARY RECORD OF THE TENTH MEETING

Held at Hotel Verdun, Annecy
on Saturday, August 13, 1949, at 10 a.m.

CHAIRMAN: Hon. L. D. WILGRESS (Canada)

Subject discussed: Supplementary Report of the Joint Working Party on Accession (GATT/TN.1/32)

The EXECUTIVE SECRETARY announced the purpose of the present meeting. In the absence of the officers of the Committee, Mr. WILGRESS (Canada) was called upon to preside over the meeting.

Mr. SHACKLE (United Kingdom), as the Chairman of the Joint Working Party, presented the Supplementary Report (GATT/TN.1/32) and outlined its contents with particular reference to the special difficulties of the United States Government referred to in GATT/CP.3/70, which called for the formulation of an alternative method of giving effect to the results of the tariff negotiations. Mr. SHACKLE drew attention to the substantial similarity between the present draft Decision and the former draft Protocol, and to the chief variation from the former method, that is, the provision of a separate protocol in respect of each acceding government, as set forth in paragraph 3 of the draft Decision annexed to the report.

Mr. LECUYER (France) said that although his Delegation would prefer to see the one-protocol method adopted, he appreciated the actual difficulties of the United States and would therefore agree to the adoption of the alternative method. With reference to the third paragraph of the preamble to the decision, he pointed out that since the protocols were to be integral parts of the Decision, the word "annexed" did not seem to be correct or adequate.
Mr. WILLOUGHBY (United States) expressed his gratitude for the consideration given by contracting parties to the difficulties of his Government and added that he, for one, was also aware of the advantage of having a single protocol, if that were practicable.

In answer to a question by Mr. SHACKLE, the CHAIRMAN said that the adoption of the new method would mean a change in the form of the instruments of accession, though the procedure would remain substantially the same. He suggested that since the new form, which involved separate sections in the United States Schedule containing concessions negotiated with individual acceding governments, was not fully expressive of the multilateral character of the negotiations and concessions, it should be left to the EXECUTIVE SECRETARY to choose between the two alternative methods in the light of the circumstances prevailing at the time immediately prior to the action, and in consultation with the Chairman and the countries most interested. This arrangement had the advantage that the adoption of the one-protocol method would not be precluded in case it should later be found practicable.

Mr. SHACKLE (United Kingdom) agreed to the suggestion.

At the suggestion of Mr. NICOL (New Zealand), the meeting agreed that the EXECUTIVE SECRETARY should advise the contracting parties as soon as it was decided which of the two alternatives was definitely adopted. In doing so, the method set out in the former report GATT/CP.3/56 would be referred to as Alternative A and that contained in the present supplementary report GATT/TN.1/32 would be referred to as Alternative B.

Some discussion took place regarding the appropriateness of the expression "this Decision" in paragraph 11 of the draft Decision. It was found that this was the correct expression.

Following the suggestion made earlier at the meeting by Mr. LECUTER (France), it was decided to change the last part of the preamble to the Decision to read:

"... and in the respective protocols for the accession of such governments which are annexed to the Decision and which shall constitute integral parts hereof."
The draft Decision was approved.

The annexed model protocol was approved.

The report as a whole was approved as containing an alternative method (Alternative B) of effecting accession.

The meeting adjourned at 10.45 a.m.