ARRANGEMENTS FOR NEGOTIATIONS UNDER ARTICLE XXVIII IN 1957

Note by the Executive Secretary

1. In Annex A attached hereto is reproduced the Decision of the CONTRACTING PARTIES to provide an opportunity for contracting parties wishing to withdraw or modify concessions within GATT schedules on 1 January 1958 to enter into tariff negotiations under the procedures of Article XXVIII in the second half of 1957. This note is issued in compliance with the instructions, given to the Executive Secretary in that Decision, to make the necessary arrangements for the negotiations.

2. A contracting party intending to negotiate for the modification or withdrawal of concessions (referred to hereunder as the "applicant contracting party") should notify the contracting parties with which the concessions were initially negotiated and ... (see paragraph 3). The notification should be sent in triplicate to the Executive Secretary by air mail so that copies can be distributed to other contracting parties in a secret document.

3. A notification should include a list of items which it is intended to modify or withdraw indicating for each item the contracting parties with which the item was initially negotiated. (Wherever possible the "applicant contracting party" should indicate whether the intention is to modify a concession or to withdraw it, in whole or in part, from its schedule.) A notification should be accompanied by statistics of imports of the products involved, by country of origin, for the last three years for which statistics are available. The notification, together with the statistics, should be sent to the initial negotiators and to the Executive Secretary, as provided in paragraph 2, and also to each contracting party which appears in the statistics as a supplier of the products involved.

4. With the notification - or as soon as possible thereafter - the "applicant contracting party" should communicate to the contracting parties, with which the concessions were initially negotiated, the compensatory adjustments which it is prepared to offer.

5. In view of the heavy time-table of meetings in the last months of 1957, the CONTRACTING PARTIES, in taking the Decision annexed hereto, recommended that notifications be sent not later than 15 July 1957. Early notification should enable many of the contracting parties involved to proceed with their negotiations during the summer, thus reducing the additional burden which would otherwise fall on the delegations attending the Twelfth Session.
6. Any contracting party which considers that it has an interest in a concession which is to be the subject of negotiation under Article XXVIII should claim recognition thereof by the "applicant contracting party". If the latter recognises the claim, the recognition will constitute a determination by the CONTRACTING PARTIES of interest in the sense of Article XXVIII:1. If a claim of interest is not recognised, the contracting party making the claim may refer the matter to the CONTRACTING PARTIES or, if the CONTRACTING PARTIES are not in session, to the Intersessional Committee.

7. In order to enable contracting parties which have submitted early notifications to begin their negotiations and consultations without delay and to allow for any disputed claims of interest to be brought before the Intersessional Committee in September, claims of interest should be made, if possible, by 1 September 1957.

8. All contracting parties involved in the negotiations should assemble in Geneva, or other convenient place, on 1 October 1957. (The Executive Secretary has been instructed to convolve the contracting parties involved at an earlier date, in September, if he finds that this is warranted by the scope of the negotiations.)

9. The secretariat will be available at all stages to assist the governments involved in the negotiations and consultations.

10. Upon completion of each bilateral negotiation, the "applicant contracting party" should:

   (i) prepare a report on the lines of the model in Annex B attached hereto. Ninety copies should be sent to the Executive Secretary for distribution to contracting parties as addenda to the secret document containing the original notification.

   (ii) send to the secretariat a joint letter (as per model in Annex C attached hereto) signed by both parties to which shall be attached one copy of the report mentioned under (i). (This copy of the report should be initialled by both parties.)

11. Upon the completion of all its negotiations, the "applicant contracting party" should send to the Executive Secretary, for distribution in a secret document, a report (in triplicate) on the lines of the model in Annex D attached hereto.

12. Contracting parties will be free to give effect to the changes agreed upon in the negotiations as from 1 January 1958.
13. Contracting parties should notify the Executive Secretary of the date on which they give effect to the agreed schedules, and compensatory concessions should be made effective not later than that date.

14. Formal effect will be given to the changes in the schedules by a protocol of rectifications and modifications.
DECISION ON NEGOTIATIONS UNDER ARTICLE XXVIII IN 1957

The CONTRACTING PARTIES to the General Agreement on Tariffs and Trade,

Desiring to make arrangements similar to those provided in the revised text of Article XXVIII, contained in the Protocol amending the Preamble and Parts II and III of the General Agreement, whereby contracting parties wishing to modify or withdraw particular concessions in their schedules on 1 January 1958 may enter into negotiations before the end of 1957 for that purpose,

Recommend:

1. that a contracting party wishing to enter into negotiations under the provisions and procedures of Article XXVIII in order to modify or cease to apply on 1 January 1958 the treatment which it has agreed to apply under Article II to any product described in the appropriate schedule annexed to the General Agreement should, not later than 15 July 1957, notify the Executive Secretary and the contracting party or parties with which the concession was initially negotiated;

2. that a contracting party which considers it has a substantial interest in any concession so notified should advise the Executive Secretary and the contracting party wishing to modify or withdraw the concession, as soon as possible and in any case not later than 1 September 1957;

Decide to invite all contracting parties involved to assemble in Geneva, or other convenient place, on 1 October 1957 (or earlier if the Executive Secretary finds that the scope of the negotiations warrants the choice of a date in September), on the understanding that those contracting parties which are in a position to do so will be free to start their negotiations on a bilateral basis in advance of the multilateral stage of the negotiations; and

Instruct the Executive Secretary to make all the necessary arrangements for the negotiations.
# ANNEX B

Results of Negotiations under Article XXVIII for the Modification or Withdrawal of Concessions in the Schedule of...initially negotiated with...

**CHANGES IN SCHEDULE XXXX**

## A. CONCESSIONS TO BE WITHDRAWN

<table>
<thead>
<tr>
<th>Tariff Item Number</th>
<th>Description of Products</th>
<th>Rates of Duty bound in Existing Schedule</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
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</table>

## B. CONCESSIONS TO BE MODIFIED

<table>
<thead>
<tr>
<th>Tariff Item Number</th>
<th>Description of Products(3)</th>
<th>Rates of Duty bound in Existing Schedule</th>
<th>Rates of Duty to be bound</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

## C. NEW CONCESSIONS ON ITEMS IN THE EXISTING SCHEDULES

<table>
<thead>
<tr>
<th>Tariff Item Number</th>
<th>Description of Products(3)</th>
<th>Rates of Duty bound in Existing Schedule</th>
<th>Rates of Duty to be bound</th>
</tr>
</thead>
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## D. NEW CONCESSIONS ON ITEMS NOT IN EXISTING SCHEDULES

<table>
<thead>
<tr>
<th>Tariff Item Number</th>
<th>Description of Products</th>
<th>Rates of Duty at present in force</th>
<th>Rates of Duty to be bound</th>
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<tbody>
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(1) Each page should be marked SECRET

(2) Insert number of Schedule and name of country. If the negotiations have resulted in the modification or withdrawal of items in the Schedule of the other contracting party, these should be shown on a separate form similar to the above.

(3) If the modification is a change in the description of the product, rather than an increase, or decrease, in the bound rate of duty, the old and new descriptions should appear in the second column.
To the Executive Secretary, GATT, Geneva.

(Date)

NEGOTIATIONS RELATING TO SCHEDULE XXX

The Delegations of ____________ and ____________, have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule ___________ as set out in the report attached.

signed for the Delegation of

signed for the Delegation of

1 Insert number of Schedule and name of country.

2 See Annex B above.
NEGOTIATIONS UNDER ARTICLE XXVIII

Report by the delegation of ______________ relating to negotiations under Article XXVIII with respect to Schedule ______

A. Negotiations with contracting parties with which the concessions were initially negotiated

1. Negotiations resulted in agreement with:

Country ..... (SECRET/-/Add.-)  
" ..... (SECRET/-/Add.-)  
 etc.

2. Agreement was not reached:

............

B. Claims of interest in items notified

<table>
<thead>
<tr>
<th>Claim made by</th>
<th>Interest claimed in respect of Item Nos.</th>
<th>Interest recognized? (yes or no)</th>
<th>Country with recognized interest is satisfied? (yes or no)</th>
</tr>
</thead>
<tbody>
<tr>
<td>-</td>
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<td>yes</td>
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