DECISION ON CONSULAR FORMALITIES

(United Kingdom draft)

8. The Working Party discussed with the representatives of some of the countries listed in paragraphs 4 and 5 their reasons for maintaining consular requirements; the discussions were directed to finding a solution which would help these countries to overcome the obstacles to compliance with the Recommendation. Although the replies received do not give a full picture of the reasons why the governments wished to maintain consular formalities, two main reasons become clear. Firstly, the various governments take the view that consular certification provides a measure of control, especially of the export declaration concerning the origin of the product and its value. Secondly, some governments maintain these formalities because they are unwilling to lose the revenue obtained by this means.

9. The Working Party and its Sub-Group have considered it appropriate to study whether, if complete abolition is not possible in the immediate future, the countries concerned could at least reduce the burden of the formalities on exporters affected. In this connexion it was noted that for certain types of importation (e.g. by air) some countries were prepared to accept a consular visa on the commercial documents, instead of requiring completion of the special consular form such as a consular invoice; measures of this kind might well be extended to importations in general. It was further noted that such measures were contemplated by Brazil in the review of her consular requirements. The Working Party concluded that a useful degree of interim progress would be achieved in the spirit of the 1952 Recommendation if such measures were adopted by those countries which do not propose to abolish consular formalities in the near future.

However, it should be borne in mind that the object of the Recommendation is the complete abolition of all consular formalities. Countries requiring consular visas should also consider carefully whether in the context of the Recommendation for complete abolition of consular invoices and visas the addition of visas to documents given by those best acquainted with the facts (e.g. the exporter or health authorities) serves any useful purpose.

Wherever possible, the Working Party and its Sub-Group have brought these points to the notice of delegates from those countries which still maintain consular formalities for the whole or a substantial part of their imports.

10. The Working Party consider that the CONTRACTING PARTIES should:

(a) take note of the valuable progress made by some countries towards compliance with the 1952 Recommendation, and the prospect that complete abolition of consular formalities will have been achieved by many countries in the near future;
(b) note with disappointment, however, that in the case of certain other countries there has been little or no progress in this matter;

(c) note that some countries still maintaining substantial consular requirements have expressed a willingness to examine whether the formalities can be reduced during the period preceding their complete abolition;

(d) recommend to the countries concerned that measures for the abolition or reduction of consular formalities should be examined urgently with a view to introducing these measures at the earliest possible date;

(e) invite all countries maintaining consular formalities to report to the secretariat as soon as any further progress in this matter has been achieved;

(f) decide to review the matter again at their Twelfth Session.