TARIFF NEGOTIATIONS COMMITTEE - BRAZIL

Proposal by the Chairman

After further consideration of the question of procedure for the opening of the negotiations, and having heard the statements of the various members of the Committee, the Chairman wishes to suggest the following arrangement as a solution for the problem.

It seems that there has been a genuine misunderstanding about the procedures to be followed in the negotiations envisaged in the Decision of 16 November 1956. Some delegations have thought that the negotiations would be conducted strictly in accordance with the conditions and procedures laid down in paragraphs 1-3 of Article XXVIII, in which case there could be no question of the submission of request lists by other governments to Brazil, and still less of requests by Brazil addressed to other contracting parties. The Government of Brazil, on the other hand, understood that the negotiations would be conducted in accordance with procedures analogous to those laid down for negotiations with noncontracting parties for accession to GATT.

I feel that we need not take this difference of understanding too seriously and, as a practical means of getting the negotiations under way, I suggest we might proceed in the following manner:

(a) The Government of Brazil has furnished to the other participating governments lists of products on which Brazil would like to see concessions maintained in the schedules of those countries. These, it should be emphasized, are lists of products and not request lists since they contain no details of the concessions which Brazil desires to retain.

(b) Paragraph 1 of the waiver indicates clearly that the purpose of the negotiations is to establish a new Schedule of Brazilian tariff concessions to take the place of the old Brazilian schedule. It is evident that it would be of great assistance to the Brazilian Government, in preparing proposals for the concessions to be incorporated in the new schedule, if other participating countries would furnish lists of the products or items which they would like to see included in this new schedule. Each contracting party would be free to use any criteria it considered appropriate in making up this list. These lists could either be lists of products or could go further and indicate the concessions desired on particular products.

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(c) The lists referred to in paragraph (b) above should be submitted not later than 10 January 1958. The negotiations could then begin on 27 January 1958, at which date the Brazilian Government would submit its replies to the lists submitted to it.

(d) If the lists submitted by Brazil include products which are not the subject of concessions in the present schedules, these shall be considered as requests to negotiate for supplementary concessions which would be dealt with in accordance with the procedures laid down for such negotiations. These procedures would also apply if Brazil should subsequently seek to negotiate for other supplementary concessions.