Working Party Structure and Procedures

The Steering Group considers that the discussion in the "working plenaries" (Stage 2) should centre on the various principal headings of the General Agreement rather than on specific proposals for amendment. This discussion would afford delegations an opportunity to explain their views on the various issues arising under each heading and provide guidance thereon to the Working Parties (see First Report). For this purpose the Steering Group suggests the adoption of the following headings:

1. Quantitative Restrictions: Under this heading an opportunity would be afforded for a discussion of the use of QR's for balance-of-payments purposes and the use of QR's for other purposes including economic development.

2. Tariffs, Schedules and Customs Administration: Under this heading there would be an opportunity for the discussion of rules of tariff reduction, questions relating to preferences, questions relating to the Schedules, e.g., Article XXVIII, Article XVIII (Section A), and the technical Articles.

3. Other Barriers to Trade: Under this heading there would be an opportunity for discussing the rules relating to subsidies, anti-dumping or countervailing measures, State trading, disposal of stocks, and the general exceptions in Article XX.

4. Organizational and Functional Questions: This heading will provide an opportunity for discussion of organizational questions, questions relating to the administration of the Agreement (e.g., complaints procedures, questions relating to Article XXV, etc.) and legal questions such as amendment procedures, entry into force, provisional application etc. In addition, this heading would also cover suggestions for extending the scope of the General Agreement to cover matters not at present included in it, such as commodity policy and restrictive business practices. If such extension of the Agreement were decided upon some additional machinery could be set up by the CONTRACTING PARTIES to consider and draft the additional provisions.
The Steering Group feels that if these headings are adopted for working plenaries it would be logical that the Working Party structure should follow the same pattern and they would therefore suggest that there be four principal Working Parties corresponding to the suggested headings of discussion in working plenaries, viz:

I  Working Party on Quantitative Restrictions  
II  Working Party on Tariffs, Schedules and Customs Administration  
III  Working Party on Other Barriers to Trade  
IV  Working Party on Organizational and Functional Questions

The Working Parties should work on the same basis as other Working Parties of the CONTRACTING PARTIES, i.e. they should examine, in the light of the plenary discussions, specific proposals presented by delegations and submit proposals to the CONTRACTING PARTIES.

A Working Party may establish ad hoc working groups to examine particular matters referred to them and to prepare drafts embodying the decisions of the Working Party. The Working Parties would, however, retain the responsibility for establishing final proposals for submission to the CONTRACTING PARTIES.

In establishing these ad hoc working groups a Working Party should be free to co-opt any delegations whether or not a member of the Working Party. All delegations, in accordance with the Rules of Procedure of the CONTRACTING PARTIES, should have the right to be represented at the meetings of all Working Parties and these observers should have the right to participate freely in discussions of any matters of interest to them.

Any Working Party which feels that in order to make progress with its work it is necessary to seek guidance or instructions from the CONTRACTING PARTIES, may at any time refer such matters to the CONTRACTING PARTIES in plenary session.

In order to assist the Working Parties, the Executive Secretary will prepare an analysis of the plenary discussions under each of the proposed four headings designed to bring out the principal issues. This analysis, it is felt, will provide valuable guidance for the work of the Working Parties and would take the place of an Annotated Agenda.

The Steering Group also considers that at an appropriate stage later in the conference there should be established a legal drafting group for the purpose of considering proposals designed to remove drafting imperfections in the present text or to improve and simplify the text, of reviewing from the legal standpoint texts established in the Working Parties, and of securing conformity between the texts in the two official languages.
ANNEX

AGENDA FOR WORKING PLENARIES

First Topic  Quantitative Restrictions
(a) Rules relating to the use of quantitative restrictions for balance-of-payments purposes;
(b) Rules relating to the use of quantitative restrictions for economic development;
(c) Rules relating to the use of quantitative restrictions for other protective purposes.

Second Topic  Tariffs, Schedules and Customs Administration
(a) Rules relating to tariffs schedules (including Articles XXVIII and XVIII A);
(b) Procedures for tariff reduction;
(c) Most-favoured-nation treatment;
(d) Rules relating to customs administration.

Third Topic  Other Barriers to Trade
(a) Rules relating to subsidies and countervailing measures;
(b) Rules relating to state trading;
(c) Rules relating to disposal of non-commercial stocks;
(d) General exceptions.

Fourth Topic  Organisational and Functional Questions
(a) Administration of the Agreement;
(b) Legal questions such as amendment procedures, entry into force, provisional application;
(c) Scope of the General Agreement, e.g. commodity policy and restrictive business practices.