MEETING OF 5 NOVEMBER 1976

Note by the Chairman

At the opening of the meeting the Chairman made the following statement:

"The Trade Negotiations Committee is a standing committee which meets as necessary to deal with specific matters relating to the conduct of the Multilateral Trade Negotiations and, as stated in the airgram, this meeting has been called to deal with one specific matter, arising from a proposal made by the delegation of Brazil at our last meeting.

"This proposal is referred to in paragraph 8 of the conclusions which I drew at the end of the last meeting, circulated in MTN/15. At that time the Committee agreed that the proposal would be the subject of informal consultations.

"Very many discussions have taken place between delegations in the interval at the bilateral and the plurilateral levels. I have also held an extensive series of consultations on this matter. As a result of those informal discussions and consultations, I am in a position to put the following proposed decision before you:

1. The Committee decided to establish a Group in accordance with paragraph 9 of the Tokyo Declaration. In the light of the relevant provisions of the Tokyo Declaration including, inter alia, paragraphs 2, 5, 6 and 9, the Group shall seek to negotiate improvements in the international framework for the conduct of world trade, particularly with respect to trade between developed and developing countries and differential and more favourable treatment to be adopted in such trade."
2. In carrying out its work, the Group shall not interfere with work in other Groups of the Trade Negotiations Committee, or seek to re-open issues or agreements settled in other Groups. It shall, however, be open to the Trade Negotiations Committee to bring to the attention of the Group any issue directly relevant to the Group's tasks, if the Trade Negotiations Committee considers this would facilitate progress in the negotiations.

3. The Group will prepare its own programme of work, keeping in mind the timetable for the conclusion of the Multilateral Trade Negotiations.

"That is the proposed decision. You will note, and I wish to stress that the Group would decide its own programme of work. This question has, however, been discussed during the informal discussions and I therefore outline the following programme of work, which has not unanimously been accepted, but there is sufficient convergence of views on the programme of work as a whole, though not on all points, to enable the Group to start its work:

1. The legal framework for differential and more favourable treatment for developing countries in relation to GATT provisions, in particular the MFN clause;

2. Safeguard action for balance of payments and economic development purposes;

3. Consultations, dispute settlement and surveillance procedures under Articles XXII and XXIII;

4. For the purpose of future trade negotiations: applicability of the principle of reciprocity in trade relations between developed and developing countries and fuller participation by the developing countries in an improved framework of rights and obligations under the GATT that takes into account their development needs;

5. An examination of existing GATT rules concerning the application of restrictions at the border that affect exports, taking into account the development needs of developing countries.

"That is what I can say about the work programme on the basis of the consultations that have been held. These consultations have made it clear to me that many delegations have reservations about the specifics of what I have just put before you and I would like again to make it explicitly clear that no delegation would be bound to any element or to any of the details of the programme in particular. Can the Committee agree to my proposed decision establishing the Group and to what I have said about its programme of work?"
After a number of statements had been made the Chairman made the following points:

"The statements made confirm the impression which I had had during the informal consultations to which I referred in my opening statement. Delegations which have spoken have supported the establishment of the Group as proposed, and I take it that the position of other delegations is the same.

"Regarding the programme of work for the Group, a number of delegations stated that, in their view, certain points or parts of certain points should not appear in the programme and some delegations expressed reservations on the precise formulation of certain points in the programme. The statements made will have been carefully noted by all delegations and they will bear them in mind when the Group meets. Delegations having made statements may circulate these in document form if they wish. Delegations will have an opportunity to make these points when the Group adopts its programme of work."

The Committee then adopted the proposal establishing the Group and agreed that there was sufficient convergence of views on the above outlined programme of work as a whole, though not on all points, to enable the Group to start its work. It also agreed that the date of the first meeting of the Group would be established by the Chairman in consultation with delegations.