Recommendation of the Working Party on Tariff Negotiations

Subject: Communication of information concerning changes relating to lists of tariff concessions offered.

In connection with the submission of periodic reports on the progress of the tariff negotiations, as instructed by the Chairman's Committee (Heads of Delegations) on 21 April, the Working Party has reviewed arrangements for exchanging information concerning offers made in the negotiations (see Documents E/PC/T/47 Rev.1 and 2; and E/PC/T/51). The Working Party considers that the adequacy of the arrangements made for such exchanges of information will not only affect any assessment of progress but may well influence directly the progress of the negotiations.

The Working Party appreciates that, by the nature of the present negotiating process, initial offers or changes in such offers should not be regarded as binding upon the parties concerned until the end of the negotiations, when the final schedules are drawn up and the General Agreement signed. Accordingly, the Working Party would emphasize that, in considering the present paper, Delegations should recognize that such reports as may be exchanged concerning offers or changes therein are intended for information only and should not be regarded as implying any commitment on the part of the reporting Delegation.

The Working Party is of the opinion that the existing arrangements make satisfactory provision for informing eligible Delegations and the central Secretariat of the initial offers submitted at the outset of each negotiation. Concerning subsequent changes in such offers, however, it seems to the Working Party that, although the general intention may be apparent, sufficiently specific provision has not yet been made for reporting such developments to the central Secretariat and to all those Delegations which are entitled to receive such information, by virtue of the fact that they have opened negotiations with the Delegation whose offers are changed, but which are not participants in the negotiations concerning the particular items.

The Working Party is well aware that the changes in respect of the initial offers which can be expected in the course of the various negotiations may vary widely from case to case. For instance, such offers may themselves be "revised" upwards or downwards; or they may be "supplemented"
with offers on new items; or they may be "withdrawn for reconsideration"; or they may be "withdrawn". The Working Party would recommend the adoption of a reporting procedure which would involve a uniform obligation on the part of all Delegations to report the fact of any such changes, but which would provide an element of flexibility whereby the Delegation concerned would have the option of itself advising interested Delegations of the nature of such changes and explaining the circumstances and conditions under which they are being made.

The procedure should also facilitate, though it should not require, the reporting of changes which are merely contemplated or tentative, and of which interested Delegations should, so far as practicable, be kept advised.

On the understanding that the general principles established in paragraph 6 of E/PC/T/47 (as revised by Revs. 1 and 2) were intended to apply not only to initial offers but also to subsequent developments relating to such offers, the Working Party, with due regard to the need for flexibility and for security, recommends that the following supplementary reporting arrangements be adopted to give effect to that intention:

(a) each Delegation should arrange to complete and submit to the central Secretariat each fortnight, the form reproduced in Annexure A of the present document, in respect of each negotiation in which any of its offers have been changed during the period. The first of such reports should be submitted to the central Secretariat on Saturday May 31 and should cover all changes which have occurred in any offers from the commencement of each negotiation. The next report should be submitted Saturday June 14; and subsequent reports, fortnightly thereafter. In the event that no change has occurred during such a period in respect of any offers of a Delegation, an officer of the Delegation should complete one of the forms indicating the negotiations in respect of which there have been no changes of offers to report. In the event that replies are not received from a Delegation concerning the various negotiations in which it is engaged, the central Secretariat should be authorized to consult with that Delegation to ascertain whether or not there are any developments to report in respect of its offers. The central Secretariat should ensure that prior to May 31 the secretary of each Delegation receives a sufficient number of blank forms on the pattern of Annexure A to ensure that reporting of such changes can commence on that date. The attention of Delegations is drawn to the fact that, under the proposed procedure, they may select either of two alternative methods of communicating to other Delegations the details concerning the nature and extent of such changes as they report to the Secretariat (see Annexures A and E).
(b) On the basis of the information submitted by Delegations, the central Secretariat shall advise each Delegation of changes reported in the offers of any other Delegation with which that Delegation has commenced negotiations. The information will be communicated on a form similar to that presented in Annexure B of the present document. If a Delegation has authorized the central Secretariat to communicate details concerning the nature and extent of the indicated changes, the report to eligible Delegations will indicate the name and location of the officer in the Secretariat from whom authorized representatives of eligible Delegations may secure such supplementary information. If the alternative method of communicating such details has been selected by a Delegation, the report from the central Secretariat will inform eligible Delegations of the name and location of the designated member of the reporting Delegation who can provide such information. Such reports by the central Secretariat should be made fortnightly, commencing Tuesday June 3. It should be noted by each Delegation that, in determining which Delegations have opened negotiations with that Delegation (and, hence, which are to be regarded as eligible to receive the fortnightly reports concerning changes in its offers), the central Secretariat will be governed by the reports which the joint Secretariat of each negotiation is expected to file under the procedure established in paragraph "a" of E/PC/T/51.
Annexure A

Report to the Central Secretariat concerning changes relating to offered tariff concessions

TO: The Executive Secretary (Room 216) or The Deputy Executive Secretary (Room 218) or Mr. A.F. Haight (Room 212).

1. On behalf of the Delegation of ________________, I am hereby advising you that our offers to the other Delegations with which we are in negotiation have been changed during the two weeks ending ________________ in respect of the items appearing below.

2. The information transmitted herewith may be communicated by you to all Delegations with which we have opened negotiations, in the manner indicated in column 4, the two alternatives being the following:

   Either (A) in full as reported in the first three columns below,
   
   or (B) only the information contained in the first two columns, advising those Delegations that details concerning the nature and extent of the change may be secured from Mr. ________________ of our Delegation, Room ____________.

3. It is to be understood that the above information is reported for the general guidance of eligible Delegations and that the reporting of this information does not imply any commitment on the part of our Delegation.

Signed ________________________________
By/for Head of Delegation

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<th>Country to which offer originally made</th>
<th>Item identified by commodity description, or tariff number, or number in request list of other Delegation, or in some other convenient manner</th>
<th>Nature and Extent of Change</th>
<th>Method of Reporting (A) or (B) above</th>
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Report by the central Secretariat to eligible Delegations concerning changes relating to offered tariff concessions

TO: (The Head of the Delegation of _________________)

1. The Executive Secretary has been advised by the Delegations concerned that the offers of the following Delegations with which you are negotiating have been changed during the two weeks ending _________________.

2. For details concerning the nature and extent of any of the above-mentioned changes you may consult: (the Secretariat will strike out whichever of the alternatives is not applicable in the light of the reply given by the reporting Delegation to para. 2A or 2B of Annexure A).

A. Mr. __________ of the central Secretariat, Room __________, in respect of changes relating to the offers of Delegations: ________________

B. The following officials in connection with the offers of their respective Delegations:

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3. It is to be understood that the information concerning changes mentioned above has been reported to you for the guidance of your Delegation only. The information is to be regarded as SECRET and is to be treated with the same care as that exercised in the case of initial lists of offers received by you. The reporting of this information does not imply any commitment on the part of the reporting Delegations.

(Signed)

Deputy Executive Secretary

| Delegations whose offers have been changed | Delegations to which the offers have been made | Item (Identified by commodity description or tariff number, or number in request list of the Delegation to which the offer was made, or in any other manner indicated by the reporting Delegation) |