FRAMESWORK AND PROCEDURES FOR THE NEGOTIATIONS

Adopted on 15 February 1990

In the negotiations, participants will observe the principles and guidelines set out in the Ministerial Declaration launching the Uruguay Round, the Negotiating Plan for non-tariff measures (MTN.GNG/5, page 6) and the Mid-Term Review Agreement on non-tariff measures (MTN.TNC/11, page 5). They adopt the following procedures for the conduct of the negotiations, which would be without prejudice to any action to be taken in fulfilment of the rollback commitments contained in Part I.C of the Ministerial Declaration launching the Uruguay Round:

A. Multilateral rule-making approaches

With a view to reaching agreement on rules of general application, the participants will examine the specific proposals before the Group on categories of measures which have been put forward for rule-making approaches. Participants will retain the right to put forward at any stage of the negotiations additional proposals which will be examined by the Group.

In the elaboration of rules of general application, participants will bear in mind Part I.B, paragraphs iv-vii of the Ministerial Declaration. Rules of general application may be implemented immediately or over agreed time-frames which, having regard to their individual development, financial and trade needs, may be longer for developing countries.

B. Multilateral formula approaches

Participants remain free to bring forward proposals for the application of multilateral formula approaches to particular measures. The Negotiating Group will examine proposals made.

Where understandings are reached in the Negotiating Group concerning the appropriateness, applicability and scope of application of formula approaches to particular measures, the necessary procedures will be elaborated taking into account Part I.B, paragraphs iv-vii of the Ministerial Declaration.

GATT SECRETARIAT
UR-90-0088
C. Request-and-offer approaches

The following procedures will be applied, taking into account Part I.B, paragraphs iv-vii of the Ministerial Declaration:

(a) Participants should submit by 15 March 1990, initial request lists according to the attached format (Annex I). Such initial request lists can be modified or supplemented at any time. These lists may be submitted in any official GATT language.

(b) Initial request lists will be submitted to the participants concerned and will also be made available to the secretariat at the same time. The secretariat, in consultation with the party making the request, will prepare summaries of each request list which will be made available to the Negotiating Group. These summaries will include information such as number of tariff lines, indication of product coverage and indication of non-tariff measure categories. The secretariat will also circulate the initial request lists to individual participants, except to those to whom the requesting participant objects. The secretariat will consult with the participant making the request before circulating that participant’s initial request lists. Requests would be circulated in accordance with the normal GATT procedures on confidentiality.

(c) Participants which have adopted liberalization measures will receive appropriate recognition for them. To that end, such participants should give details of the measures that they have adopted and the precise recognition that they are seeking.

(d) The participants concerned will consult bilaterally as necessary on these initial request lists, with a view to clearing up any technical points which may arise.

(e) Plurilateral discussions, involving participants which have shared interests, are to be encouraged. In this regard, participants may consult to identify areas of shared interest.

(f) Initial offers made, inter alia, in response to initial requests should be submitted so that negotiations begin as soon as possible and no later than 15 May 1990. These offers will be made according to the attached format (Annex II). They may be submitted in any GATT language and will at the same time be given to the secretariat.

(g) Participants may offer to implement some measures either immediately or over time-frames to be agreed.
(h) In the submission of offers, special attention will be given to the requests emanating from developing country participants. Participants will ensure special treatment for the least-developed countries, which may take the form of advance implementation for them of liberalization measures.

D. Security of concessions

Participants are invited to submit by 15 March 1990 proposals aimed at ensuring that concessions to reduce or eliminate non-tariff measures are not subsequently nullified or impaired. The examination of these proposals by the Negotiating Group will begin preferably by 12 April 1990.

E. Recognition of liberalization measures

Participants seeking recognition for liberalization measures are free to put forward proposals which will be examined by the Negotiating Group preferably by 12 April 1990.

F. Action by the Negotiating Group

Recognizing the importance of achieving substantially improved market access, the Negotiating Group will meet to ensure that the objective, principles and guidelines adopted for the negotiations are met. To this end, the Chairman will provide the Negotiating Group with a list of participants having made requests and/or offers. He will also request all participants to inform the Negotiating Group on developments in the negotiations. This will include, inter alia, with respect to requests, indications as to the participants of which requests have been made and, for each request list, indications as to the number of tariff lines, NTM categories and product categories involved. With respect to offers, this will include indications as to whom these have been made.
<table>
<thead>
<tr>
<th>Tariff line (if possible)</th>
<th>Product description</th>
<th>Non-tariff measures</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Measures on which action is requested</td>
<td>Action requested</td>
</tr>
</tbody>
</table>
## ANNEX II

### OFFER LIST

Submitted by [participant] to [participant]

<table>
<thead>
<tr>
<th>Tariff line (if possible)</th>
<th>Product description</th>
<th>Measure on which action was requested</th>
<th>Offers</th>
<th>Other non-tariff measures applied to the product</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>