

SECRET

# GENERAL AGREEMENT ON TARIFFS AND TRADE

No. 52  
TN.64(SECRET)/2  
8 December 1964

Trade Negotiations Committee

## JUSTIFICATION OF EXCEPTIONS LISTS

### Note by the Executive Secretary

In the report circulated as TN.64(SECRET)/1 I attempted, with a view to assisting the work of the group which will conduct the justification of the exceptions lists, to analyse certain elements in those lists.

I have also given some thought to the procedure which the group might most usefully follow, and it may be helpful if, before the meeting began, I set out certain suggestions in this respect.

#### (a) General statements

I would propose as a first step to invite delegations to make any general statement they wish by way of explanation of or comment on their own lists (or, as the case may be, absence of lists), and to make any general comments they wish to make at this stage on the lists submitted by other delegations.

#### (b) Discussion of what further information is needed

One of the points brought out in TN.64(SECRET)/1 (see paragraph 5) is that the supporting information given differs as between the various delegations. I suggest, therefore, that as a second step the group might discuss the adequacy of the information submitted and what additional information is needed.

#### (c) Discussion of particular products

Thirdly, there should be an opportunity for what would inevitably be a very first discussion of particular products included in one or more lists on which delegations might wish to have a discussion at this stage, with a view, for example, to establishing in a preliminary way what the problems are which have led to those products being included in the lists and whether they might not be dealt with in another way which would allow the application to the products of the linear tariff cut. Similarly delegations may wish to have the opportunity to seek clarification of what offer can be made on some of the products where the lists as they stand at the moment merely indicate that some offer of less than the full linear cut can be made.

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(d) Discussion of negotiating procedures

Finally, the group might wish to discuss the procedure for carrying the justification process to its conclusion and leading from that to the stage of confrontation and negotiation. Given the new technique of negotiation which is involved, it is not likely to be possible at as early a stage as this to establish a precise blueprint for the negotiations. There would, however, in my view be great advantage in having a first discussion of the various possible methods of negotiation, the fields where they might be used and the inter-relationships between them. Clearly, for example, there will inevitably be an element of bilateral negotiation between pairs of delegations on individual products or on offer lists as a whole; there will also be negotiations on particular products between groups of participants with special interests in those products as exporters or importers. What techniques can be used to ensure that such bilateral or group discussions are integrated into the general multilateral framework and do not, for example, by a scaling down of the level of the larger offers to that of the smaller offers, lead to a general contraction of the offers initially tabled? Again, I have suggested that there may be sectors where there are difficulties in the way of applying the linear cut which are common to several of the participants, and where therefore, some multilateral discussion of these problems may help to make it possible to remove these products from the lists or failing that at least to elicit the best possible offers of tariff reduction on them. It might be helpful to consider whether, and if so in what cases, such a technique of negotiation might be helpful and how it might be related to other techniques of negotiation.