

AD HOC COMMITTEE ON AGENDA AND INTERSESSIONAL BUSINESSTariff Negotiations - Article XXVIII

To facilitate discussion of the proposal put forward in the Chairman's Notes (L/93) the Executive Secretary has prepared the following draft declaration:

DRAFT
DECLARATION
ON THE CONTINUED APPLICATION OF THE SCHEDULES
TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

Declaration of --- October 1953

The contracting parties to the General Agreement on Tariffs and Trade (hereinafter referred to as "the General Agreement"),

CONSIDERING that, under the provisions of Article XXVIII (as amended), the assured life of the concessions embodied in the schedules annexed to the General Agreement will expire on 31 December 1953, in the sense that thereafter it will become possible for a contracting party by negotiation with other contracting parties to modify or cease to apply the treatment which it has agreed to accord under Article II to any products described in its schedule,

CONSIDERING that, although by the terms of the Agreement the schedules will retain their full validity notwithstanding the expiry of their assured life, the possibility of invocation by contracting parties of the procedure of Article XXVIII for modification of specific concessions would impair the security which the trading community has enjoyed through the stability of tariff rates which has been one of the principal achievements of the General Agreement, and

CONSIDERING FURTHER that it would be particularly undesirable to arrive at such a result at a time when a number of contracting parties are studying ways and means of making further progress towards the elimination of barriers to trade and towards the achievement of the other objectives of the General Agreement,

HEREBY DECLARE that they will not invoke prior to 1 July 1955 the provisions of Article XXVIII paragraph 1 of the General Agreement to modify or cease to apply the treatment which they have agreed to accord under Article II of the General Agreement to any product described in the appropriate schedule annexed to the General Agreement.

The provisions of this Declaration shall not apply to concessions initially negotiated with a government with respect to which this Declaration is not in effect.

The original of this Declaration shall be deposited with the Secretary-General of the United Nations, who is authorized to register this Declaration in accordance with Article 102 of the Charter of the United Nations.

The Secretary-General of the United Nations shall promptly furnish a certified copy of this Declaration to each Member of the United Nations, to each other government which participated in the United Nations Conference on Trade and Employment, and to any other interested government.

IN WITNESS WHEREOF, the respective representatives, duly authorized, have signed the present Declaration.

DONE at Geneva, in a single copy, in the English and French languages, both texts authentic, this _____ day of October, one thousand nine hundred and fifty-three.