

SECOND SESSION OF THE PREPARATORY COMMITTEE OF THE
UNITED NATIONS CONFERENCE ON TRADE AND EMPLOYMENT.

Draft Charter.

Amendment proposed by the Delegations of Syria
and Lebanon.

Article 17.

The Delegations of Syria and Lebanon consider that dumping, in any form whatever, is a reprehensible practice and inconsistent with the general purposes of this Charter.

The restrictions provided for in Article 17 are inadequate, being concerned solely with measures to be taken by the importing country to protect itself against dumping, whereas no measures designed to protect other countries exporting the same goods have been contemplated.

The Delegations of Syria and Lebanon therefore propose the following changes in Article 17.

I. Title of the Article:
Anti-dumping measures.

II. paragraph 1. Proposed wording:

"An anti-dumping duty equal to the whole of the margin of dumping may be imposed on any product of any Member country imported into any other Member country. For the purposes of this Article, the margin of dumping shall be understood to mean the amount by which the price of the product exported from one country to another is less than, (a) the comparable price for the like product to buyers in the domestic market of the exporting country, or, in the absence of such domestic

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price, either (b) the highest comparable price at which the like product is sold for export to any third country in the ordinary course of commerce, or (c) the cost of production of the product in the country of origin plus a reasonable addition for selling cost and profit; with due allowance in each case for differences in conditions and terms of sale, for differences in taxation, and for other differences affecting price comparability.

III. paragraphs 4 and 5 to be omitted.

IV. New paragraph.

"If a Member exporting the like product considers that its interests are adversely affected by the dumping practised by another Member, it may bring the matter before the Organization. The latter shall proceed to an investigation and make appropriate recommendations to the Member concerned.

If the Organization finds that the Member is not carrying out its recommendations, it shall recognise the right of the complaining Member to refuse the tariff concessions agreed on in respect of the trade of the defaulting Member."